

**DIRECTORS' MEETING
MONDAY, AUGUST 16, 2004 - 11:00 A.M.
CONFERENCE ROOM 113**

I. MAYOR

- *1. NEWS RELEASE - RE: Public Invited To Dedication Of Kontras Park (See Release)
- 2. NEWS RELEASE - RE: City Plans Patriot Day Event for September 10th (See Release)
- 3. NEWS ADVISORY - RE: Dedication of Kontras Park (10:00 a.m. August 12th at South Cotner Boulevard and Aldrich Road; and Near South Neighborhood Associations' dedication of new park at 19th & "A" Streets (1:00 p.m. August 15th - at 19th & "A" Streets - (See Advisory)

II. CITY CLERK

- *1. Faxed Letter from Bill Whitley, Vincenzo's ristorante brought into Council Office by City Clerk Joan Ross - RE: Effective immediately, please withdraw the application for use of right of way for Vincenzo's Restaurant at 808 "P" Street in Lincoln - Item #13, 04R-187. (See Letter)

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

PATTE NEWMAN

- 1. OUTSTANDING Request to Ernie Castillo, Wynn Hjermstad, Marc Wullschleger, Urban Development Department/ Terry Bundy, LES/ Allan Abbott, Public Works & Utilities Director/Mike DeKalb, Marvin Krout, Planning Department/ Lynn Johnson, Parks & Recreation Director - RE: Signs or banners identifying individual neighborhoods - (For Witherbee and Eastridge area) - (RFI#20 - 3/24/04). — 1.) SEE RESPONSE FROM TERRY BUNDY, LES RECEIVED ON RFI#20 - 4/12/04. — 2.) SEE RESPONSE FROM LYNN JOHNSON, PARKS & RECREATION DIRECTOR RECEIVED ON RFI#20 - 8/11/04.

2. Request to Dana Roper, Law Department/Don Herz, Finance Director - RE: Possible future source of funding called a worker tax (RFI#26 - 8/09/04)

TERRY WERNER

1. OUTSTANDING Request to PW /**Planning** - RE: Inquiry from Jay Petersen on Kajan Drive - Public or Private Roadway, plus Surface Rehabilitation Process (RFI #130-6-15-04). — **1.) SEE RESPONSE FROM THOMAS SHAFER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#130-8/03/04.**
2. OUTSTANDING Request to **Vince Mejer, Purchasing Agent** - RE: Notice to Bidders #04-110 – Television Equipment (RFI#132 - 6/16/04).
3. Request to Allan Abbott, Public Works & Utilities Director - RE: Dredging of Williamsburg Lake (RFI#135 - 8/11/04)
4. Request to Fire Chief Mike Spadt - RE: Recent Emergency Call at Williamsburg Lake (RFI#136 - 8/11/04)

GLENN FRIENDT

1. OUTSTANDING Request to **Lynn Johnson, Parks & Rec. Director** - RE: South Salt Creek Community Organization concerns (RFI#33-5/25/04).
2. OUTSTANDING Request to Don Herz, Finance Director/ **Steve Hubka, City Budget Officer** - RE: Fire Equipment Lease-Purchase (RFI#35 - 7/19/04). — **1.) SEE RESPONSE FROM DON HERZ, FINANCE DIRECTOR RECEIVED ON RFI#35 - 7/22/04.**
3. OUTSTANDING Request to Allan Abbott, Public Works - RE: Accident Data on Intersection of W. Van Dorn and South Coddington for 5-year period (RFI #36-07/28/04). — **1.) SEE RESPONSE FROM SCOTT OPFER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#36-8/06/04.**
4. E-Mail from Glenn Friendt to Council - RE: Wanted to share what Gallup/SRI, the world leader in leadership development, has learned about “authentic leadership” in American organizations - (See E-Mail)

5. Request to Don Herz, Finance/Dana Roper, Law - RE: Constituent inquiry regarding the bond issue (RFI#37 - 8/12/04)

JONATHAN COOK

1. ~~OUTSTANDING~~ Request to Weed Control/Public Works & Utilities Department/ Parks & Recreation Department - RE: Maintaining of ROW along W Van Dorn - (RFI#114 - 6/14/04).—**RESPONSE RECEIVED FROM RUSS SCHULTZ (INCORPORATING RESPONSES FROM PW AND FROM P&R) ON 07-29-04.**

JON CAMP

- *1. E-mail from Jan Weyhrauch to Jon Camp RE: Special Election and Raising Taxes
- *2. E-Mail from Jan Karst with response from Jon Camp - RE: Today's article in LJS on Smoking Ban - (See E-Mail)
- *3. E-Mail from Sue Quambusch with response from Jon Camp - RE: Budget Cuts - (See E-Mail)
- *4. Faxed Letter from Jeff Riekenberg to Jon Camp - RE: 'Thank-you' very much for supporting the proposed StarTran bus routes between Lux Middle School and neighborhoods south and east of the school in the 2004-2005 Lincoln City Budget - (See Letter)
- *5. E-Mail from Dan Mook with response from Jon Camp - RE: Addition of apartments west 88th St. - (See E-Mail)
- *6. E-Mail from Kevin & Ruth Mattson with response from Jon Camp - RE: Lux School StarTran Bus Service - (See E-Mail)
7. E-Mail from Tom Green, Corresponding Secretary, Lancaster County Democratic Party with response from Jon Camp - RE: The Patriot Act - (See E-Mail)
8. E-Mail from Dan Mook with response from Jon Camp - RE: Addition of apartments west 88th Street - (See E-Mail)

ANNETTE McROY

1. Request to Dennis Bartels, Public Works & Utilities Department - RE: Request-Gap Paving (RFI#153 - 8/12/04)

B. DIRECTORS AND DEPARTMENT HEADS

BUDGET OFFICE

- *1. Inter-Department Communication from Jan Bolin - RE: Corrected Budget Book Pages for PW/U - (See Material)

FINANCE DEPARTMENT/CITY TREASURER

1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department Treasurer of Lincoln, Nebraska - Investments Purchased July 26 thru August 6, 2004.

HEALTH

- *1. NEWS RELEASE - RE: Confirmatory Test Finds Earlier Lancaster County Case Is Not West Nile - (See Release)
- *2. NEWS RELEASE - RE: Partnering To Prevent Family Swimming Pool Drownings - (See Release)
3. NEWS RELEASE - RE: Special Opportunity For Computer And Electronics Recycling - (See Release)

PLANNING

- *1. Memo from Marvin Krout - RE: Lincoln Housing Costs - (See Memo)
- *2. Memo from Marvin Krout - RE: Residential Land Inventory & Single Family Lots - (See Memo)
- *3. Annexation by Ordinance - Ordinance No. 18400 - Effective: July 27, 2004 - 20.9 Acres.
4. Planning Department Newsletter - Issue #10 - August 2004.

5. Letter from Becky Horner to Michael Johnson, Olsson Associates -RE: North Hills 5th Addition Final Plat #04018 -(See Letter)
6. Letter from Becky Horner to Michael Johnson, Olsson Associates RE: Highlands Business Park 4th Addition Final Plat (See Letter)

PLANNING COMMISSION FINAL ACTION

1. Special Permit No. 04038 (Broadcast Tower - N. 31st Street and North View Drive) Resolution No. PC-00883.
2. Preliminary Plat No. 04016 - Whispering Creek (S. 112th Street and Old Cheney Road) Resolution No. PC-00884.

PUBLIC WORKS & UTILITIES DEPARTMENT

- *1. Public Works & Utilities ADVISORY - RE: South 14th Street; Old Cheney - Pine Lake - Project No. 701306. - (See Advisory)
2. E-Mail Material from Karen Sieckmeyer - RE: Impact Fee Administrator Report & Recommendation on the Agenda for Monday, August 16th - (See Material)
3. Public Works & Utilities ADVISORY - RE: 30th Street; Randolph - Mohawk - Residential Rehabilitation Project #701752 - (See Advisory)
4. REVISED Public Works & Utilities ADVISORY - RE: 30th Street; Randolph - Mohawk - Residential Rehabilitation Project #701752 -(See REVISED Advisory)
5. Public Works & Utilities ADVISORY - RE: 30th Street; Vine - W Street - Residential Rehabilitation Project #701752 - (See Advisory)

REAL ESTATE DIVISION

- *1. Interoffice Memo from Clinton W. Thomas - RE: Street & Alley Vacation No. 03017 West 20 feet of 24th Street; U Street to Vine Street; and the North 15 feet of U Street; 23rd to 24th Street - (See Memo)

- *2. Interoffice Memo from Clinton W. Thomas - RE: Street & Alley Vacation No. 04009 North 58th Street; Colfax Avenue to Murdock Trail - (See Memo)

URBAN DEVELOPMENT

- *1. Report - RE: 48th & "O" Streets Redevelopment Area Lincoln, Nebraska - Blight and Substandard Determination Study-May 2004 - Prepared For: City of Lincoln, Nebraska By: Hanna:Keelan Associates, P.C.-(Copy of this Report on file in the City Council Office)
- 2. Material- updated pages - RE: Replacement changes on 48th & "O" Study, per Joel Pedersen, Assistant City Attorney - (See attachment)

WEED CONTROL AUTHORITY

- 1. Combined Weed Program - City of Lincoln - July 2004 Monthly Report.

C. MISCELLANEOUS

- *1. E-mail from John Losito of Sun Valley Lanes RE: Bowling Center Legislation.
- *2. Note Card from Norma Fleisher - RE: Please adopt the Defense of Liberty Resolution - (See Note Card)
- *3. E-Mail from Peggy Struwe - RE: Information on Amendment One - (See E-Mail)
- *4. Letter from Rick G. Carter, Executive Director, The Lincoln/Lancaster County Human Services Federation - RE: Public transportation -Supports all efforts to increase access and availability on StarTran for low-income members of our community - (See Letter)
- *5. E-Mail from Terry Jarosz, Midlands Plastics, Tool Designer - RE: Country View Park Fund Cut Again - (See E-Mail)
- *6. E-Mail from Dave Brady to Mayor Seng - RE: Bond Issue - (See E-Mail)

- *7. E-Mail from Jim Johnson to Mr. Jenkins, Lincoln Star Journal - RE: Correction to article on Council Salaries - (See E-Mail)
- *8. E-Mail from Michelle Crawford - RE: Concerns about the infrastructure bond issue - (See E-Mail)
- *9. Letter & Material from Herbert J. Friedman, Chair, Cable Advisory Board to Ms. Beth Scarborough, Time Warner Cable - RE: Cable Advisory Board - (See Material)
- *10. Letter from Elizabeth H. Scarborough, Time Warner Cable - RE: It has come to our attention by a review of the City Council August 9 Agenda that you will be briefed during Pre-Council and asked during the regular Council Meeting to adopt a report of the Cable Television Advisory Board related to the cable television franchise renewal proceedings and the Request for Renewal Proposal - (Item 19 Public Hearings-Resolutions)(See Letter)
- 11. Letter from Paul L. Sweeney, ATV Sport Parts Inc., Mid-Atlantic Rep. - RE: The majority of large cities in the United States are having a complicated and serious problem as what to do with the ever-increasing number of non-title vehicles, dirt bikes, ATV's. The administrative, accounting and storage costs are very expensive. There also appears to be an environmental and public relations problems - (See Letter)
- 12. E-Mail from Kent Stauffer - RE: The bond issue - (See E-Mail)
- 13. E-Mail from Carol Brown - RE: The budget public hearing meeting on 8/09/04. -(See E-Mail)
- 14. E-Mail from Beth Thacker, President, Great Plains Trails Network - RE: The GPTN press release from Friday's press conference - Trails Advocates Speak Out Against Council's Budget Revisions -Public Hearing set for Monday, Aug. 9th -(See E-Mail)
- 15. E-Mail from Beth Thacker, President, Great Plains Trails Network - RE: SRT bond issue - (See E-Mail)
- 16. Letter from Beverly Sapp - RE: The way the Auto Salvage Yards are making our neighborhood look so bad by having old junk cars in view where they are to have a tall closed in fence, so we don't have to look at them - (See Letter)

17. E-Mail from Karin Fuog - RE: Lux booster bus routes - (See E-Mail)
18. Letter from Dalyce Ronnau, Chairman, Pedestrian/Bicycle Advisory Committee - RE: The Bond Issue - (See Letter)
19. Letter from Dr. Loy Watley, Lincoln Christian School Board President & Mr. Mark Wilson, Lincoln Christian School Superintendent - RE: The 84th Street improvement project - requesting your help and support for a stop light at the future entrance to Lincoln Christian School on 84th Street - (See Letter)
20. E-Mail from Sherry West - RE: Proposed budget - (See E-Mail)
21. E-Mail from Anand V. Rau, Ph.D. & Anu Subramanian, Ph.D. - RE: Lux Booster Bus Routes - (See E-Mail)
22. E-Mail from Don Tilley - RE: Wall of Remembrance coming to Lincoln - (See E-Mail)
23. E-Mail from Karin Fuog - RE: Lux Booster Bus Routes - (See E-Mail)
24. Faxed Letter from David L. Swartz, President, Cape Charles Square Homeowners' Association - RE: Williamsburg Village Lake Dredging - (See Letter)

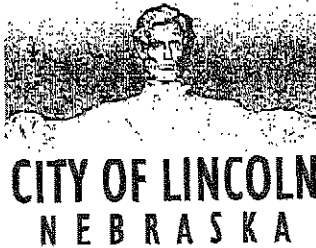
IV. DIRECTORS

V. CITY COUNCIL MEMBERS

VI. ADJOURNMENT

***HELD OVER FROM AUGUST 9, 2004.**

da081604/tjg



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

FOR IMMEDIATE RELEASE: August 11, 2004**FOR MORE INFORMATION:** Diane Gonzolas, 441-7831

CITY PLANS PATRIOT DAY EVENT FOR SEPTEMBER 10

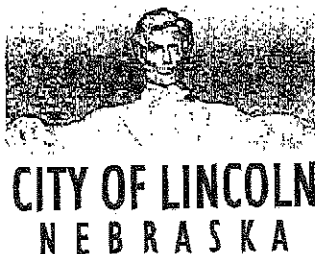
Mayor Coleen J. Seng invited Lincoln area residents to observe the third anniversary of the terrorist attacks on America by attending "Patriot Day – Lincoln Remembers," a community memorial ceremony the evening of Friday, September 10 at the Veterans Memorial Garden in Antelope Park. The U.S. Congress designated September 11 as "Patriot Day" and asked local governments to observe the day with appropriate programs. The program is being organized by the City of Lincoln and the Mayor's Advisory Council for the Veterans Memorial Garden. In case of rain the event will move inside the Auld Recreation Center. More details will be announced later this month.

- 30 -

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AUG 11 2004

CITY COUNCIL
OFFICE



NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

DATE: August 11, 2004**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng will attend two park events this week:

- The dedication of Kontras Park is set for **10 a.m. Thursday, August 12** at **South Cotner Boulevard and Aldrich Road**. Parking is available on Aldrich Road. In case of rain, the event will be postponed to 10:30 a.m. Tuesday, August 17.
- The Near South Neighborhood Association will dedicate a new park at **19th and "A" streets at 1 p.m. Sunday, August 15**. The Association purchased the site in 1993 and worked with the City's Urban Development and Parks and Recreation Departments to develop the park.

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AUG 11 2004

CITY COUNCIL
OFFICE

Memo

To: Patte Newman, City Council
From: Lynn Johnson, Parks & Recreation
Date: August 10, 2004
Subject: *RFI #20 - Neighborhood Signs*
cc: City Council Members
Mayor Coleen Seng
Stacey Ault, Parks & Recreation
Mike DeKalb, Planning
Randy Hoskins, Public Works/Utilities
Scott Opfer, Public Works/Utilities
Ernie Castillo, Urban Development
Wynn Hjermstad, Urban Development

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The purpose of this memo is to respond to your request for information regarding development of a neighborhood sign program.

Representatives from Planning, Public Works, Urban Development, and Parks and Recreation met to discuss existing neighborhood signs and the potential of developing a neighborhood sign program. The following is a summary of this discussion.

Funding:

Existing neighborhood signs have been funded by Urban Development Department administered funding sources. Community Block Development Grant (CDBG) funds and Tax Increment Financing (TIF) funds have been utilized. CDBG funds must be used to support projects and programs in designated low/moderate income areas. TIF funds must be used in an area that has been determined to be blight and is subject to an approved revitalization plan.

Neighborhood Self-Help Program funds administered by the Parks & Recreation Department could be used for neighborhood signs. Program funds are typically used to purchase materials with labor of funding for construction provided by a neighborhood group or civic organization. Improvements must be on public property. Funds are available annually and are awarded on a competitive basis.

Maintenance:

Some neighborhood signs are freestanding. Others are placed within landscape plantings. Some older neighborhood signs have been constructed of wood, and therefore have a limited lifespan. More recently neighborhood signs have been constructed of metal and/or masonry. These signs have a longer useful lifespan and require minimal maintenance. Landscape planting beds associated with neighborhood signs are generally maintained by a neighborhood association or

civic group. There are varying degrees of success depending on the enthusiasm and expertise of volunteers involved. Staff recommend that future neighborhood signs be constructed of metal, or a similar material. Landscape plantings should be simple groupings of durable plants, and an irrigation water source should be provided to assist in establishing and sustaining plantings during drought periods.

Design:

Currently design of neighborhood signs occurs on a case-by-case basis. The City does not have guidelines for design of neighborhood signs. Staff suggest development of design guidelines if a neighborhood signage program is initiated.

Referred to: _____

REQUEST FOR INFORMATION
COUNCIL OFFICE

4670249

Glenn Friendt - #36

July 28, 2004

By: _____
(Council Member)

Date

REQUEST: RE: Accident Data on Intersection of W. Van Dorn and S. Coddington

Would you please respond to Mr. Olson regarding the concerns expressed in the
attached Memo and send me a copy of your response. Thanks.

Glenn Friendt

cc: Leon Olson - FOR YOUR INFORMATION - This is a copy of a request for
c/o JB Equestrian Academy - information sent by a Council Member to a City Department -
2209 W. Van Dorn (22) No Response from you is necessary
Mayor's Office

RESPONSE (Indicate action taken):

By: Scott Opfer

Date

8/4/04Responded by letter

AUG 06 2004

CITY COUNCIL
OFFICE

COMMENTS:

PLEASE RESPOND WITH 10 COPIES to the Council Office/tjg/jvr



CITY COUNCIL OF LINCOLN NEBRASKA

555 South 10th Street • Lincoln, NE 68508 • 402-441-7515

FAX: 402-441-6533 • E-MAIL: council@ci.lincoln.ne.us

GLENN FRIENDT

City Council Member At Large

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JUL 27 2004

CITY COUNCIL
OFFICE

DATE: July 27, 2004

FROM: Glenn Friendt #36

TO: Allan Abbott

RE: RFI / Intersection of W Van Dorn and South Coddington

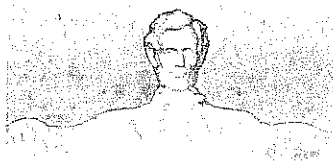
Please provide accident data for the intersection of W Van Dorn and South Coddington for the past 5 years. Please indicate what traffic studies have been done to determine the feasibility of installing an electronic traffic signal at this intersection and what any future plans may be for the installation of an electronic traffic signal at this intersection.

Please submit your response to:

Leon Olson
% JB Equestrian Academy
2209 W. Van Dorn
Lincoln, NE 68522

In your response to Mr Olson please indicate you are doing so at my request.

Thanks.



CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG
www.ci.lincoln.ne.us

Engineering Services
Public Works and Utilities Department
Allan Abbott, Director
531 Westgate Blvd.
Suite 100
Lincoln, Nebraska 68528
402-441-7711
fax: 402-441-6576

August 4, 2004

Leon Olson
JB Equestrian Academy
2209 W. Van Dorn Street
Lincoln, NE 68522

Dear Mr. Olson:

This letter is in response to your recent inquiry to City Councilperson Glenn Friendt regarding the potential for installation of a traffic signal at the intersection of W. Van Dorn Street and Coddington Avenue. For any intersection to be considered for the installation of a traffic signal, it must first be evaluated to determine if the current vehicular and/or pedestrian activity taking place at the location meets minimum requirements as spelled out in the Federal Manual on Uniform Traffic Control Devices. The use of this nationally accepted manual for installation of traffic control devices is mandated by State Law and is intended to assist in a process which is consistent no matter where you are in the country. The requirements contained in this manual take into account vehicle, pedestrian and bicycle volumes, crash history, sight distance, vehicle speeds, delay and other engineering considerations. If a location meets these requirements, we must then determine if the installation of a signal will improve the overall safety and operations of traffic in the area. A final determination is then made on whether or not to install a new traffic signal.

This location was evaluated during the fall of 2003. The results of this evaluation indicate that the above mention minimum requirements necessary for traffic signal control are not present at this time. To give you an idea of the minimum numbers of vehicles necessary to begin meeting these minimum requirements. Currently during the hour with the highest traffic volumes at this intersection, there are approximately 470 vehicles which approach the intersection of S. Coddington Avenue on W. Van Dorn Street and approximately 270 vehicles which approach W. Van Dorn on S. Coddington. In order for this location to meet the bare minimum requirement for number of vehicles, or what is termed the "Peak Hour Warrant", the volumes on W. Van Dorn would need to be around 700 vehicles during that hour or the volumes on S. Coddington would need to be approximately 370 vehicles during that hour. Again, these are minimum numbers and typically, we would be looking to see if the location being evaluated has these type numbers for at least 4 hours of the day, not just one.

Also, as mentioned above, we do consider the crash history at the intersection being evaluated. Typically, we look at a 3 year history, but since you requested a 5 year history, we did look at the past 5 years. We found that there have been 16 reported crashes at this intersection during the most recent 5 years (for an average of 3.2 crashes/year). A look at the average number of crashes we see at other intersections

LINCOLN

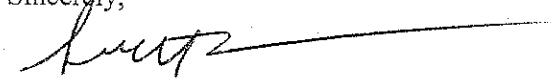
The Community of Opportunity

of two major streets with "Stop" sign control, indicates that we typically see 3.7 crashes/year. So as you can see, the crash numbers are not out of line with other similar locations in Lincoln. As a side note, if we were to signalize this location and again, based upon averages of other similar locations across our City, we could expect that the number of crashes per year would increase to between 11 and 12 crashes/year. This is one of the primary reasons we want to make sure that the location warrants a traffic signal, before we install one.

What does all this mean? Again, it means that at the present time, the intersection of W. Van Dorn Street and S. Coddington Avenue does not meet minimum requirements necessary to warrant installation of a traffic signal. Having stated this, I will assure you that we intend on watching this location very closely over the next several years. With the continued growth of our City, we know conditions can and do change very quickly.

I would like to thank you for taking the time to contact us. If you have any further questions or concerns, please do not hesitate to contact me at 441-7711. Again, thanks for your interest in traffic safety.

Sincerely,



Scott A. Opfer, Manager of Traffic Operations
Public Works & Utilities Department

cc: City Council,
Ann Harrell
Allan Abbott
Roger Figard
Randy Hoskins
Nicole Fleck-Tooze
Karen Sieckmeyer
Maggie Kellner



Joan V Ray

08/10/2004 03:05 PM

To: amcroy@lincoln.ne.gov, newman2003@neb.rr.com,
ksvoboda@alltel.net, joncampcc@aol.com, twernerlnk@aol.com,
JCookcc@aol.com, glenn@friendt.com

cc:

Subject: to all city council members and county commissioner / Fwd: Avolio -
Authentic Leaders

Council,

FYI From Glenn Friendt. Thanks.

Tammy

----- Forwarded by Joan V Ray/Notes on 08/10/2004 03:06 PM -----



GFriendt@ci.lincoln.ne.us

08/10/2004 11:21 AM

To: council@ci.lincoln.ne.us, Commish@co.lancaster.ne.us

cc:

Subject: to all city council members and county commissioner / Fwd: Avolio -
Authentic Leaders

I wanted to share what Gallup/SRI, the world leader in leadership development, has learned about "authentic leadership" in American organizations. Pay close attention to the characteristics that define authentic leadership.

Something to ponder.

Glenn

----- Forwarded by Glenn A Friendt/Notes on 08/10/2004 11:15 AM -----

Begin forwarded message:

> From: UNL CBA Gallup Leadership Institute <gli@unlnotes.unl.edu>
> Date: Fri Aug 6, 2004 10:28:49 AM US/Central
> Subject: Avolio - Authentic Leaders
>
>
> FYI - News Release
>
> ATTENTION: News, Education, Business Editors
> CONTACT: Bruce J. Avolio, Director, Gallup Leadership Institute, (402)
> 472-2331 (bavolio2@unl.edu)
>
> Lincoln, Neb., Aug. 4, 2004 -- How authentic do Americans perceive
> the leadership of their organizations?
> A first-ever poll by the University of Nebraska-Lincoln revealed
> that many believe their leaders are doing quite well.
> "The results are actually more positive than I expected," said
> Bruce Avolio, director of the Gallup Leadership Institute at UNL and
> an expert in leadership. "Being seen as an authentic leader is a
> pretty high standard, and we found that a considerable number of
> American workers are reporting evidence of authentic leadership in
> their organizations."
> The nationwide telephone poll of 1,008 workers over age 18 was
> conducted in May and June by The Gallup Organization for the UNL
> College of Business Administration. Responses to the items comprising

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> the poll were collected from respondents judging on a 5-point scale
> how frequently the leaders of their respective organizations displayed
> specific actions and behaviors.
> Some of the findings:
> Approximately one-third of U.S. working adults indicated the
> leadership in their organizations exhibited authentic leadership
> behaviors "frequently, if not always." Thirty-nine percent of workers
> surveyed reported their leaders "frequently, if not always" "act in
> the best interest of the organization" and "are genuine people."
> The lowest-rated items were leaders who "make personal sacrifices
> for the benefit of the organization," with only 22 percent rating that
> item "frequently, if not always," and "admits when mistakes are made,"
> with only 23 percent reporting that type of leadership "frequently, if
> not always."
> Avolio said authentic leaders are "transparent" about their
> intentions and desires. They say exactly what they mean, go beyond
> self-interest for the good of the organization and act in the
> organization's best interest. They consider moral and ethical
> consequences of their decisions, and admit when mistakes are made.
> "Most organizational leaders have to operate on trust to a very
> significant extent with their employees, and have to create the
> conditions for trust to flourish to build a sustainable organization,"
> Avolio said. "More Americans these days are thinking about leadership
> and how to best assess and develop leadership, whether selecting
> project leaders or CEOs. There will be increasingly greater attention
> paid to placing leaders in positions of power that are authentic."
> Avolio and his colleagues at the Gallup Leadership Institute
> developed the first-ever U.S. poll on authentic leadership as a
> benchmark for further research and to highlight the need for further
> attention to this basic form of leadership. The intent is to conduct
> the poll on a biannual basis to track how leadership or American
> organizations change over time.
> Avolio said much attention appears today to be paid to bad
> leadership.
> "It's probably harder in this day and age to be an authentic
> leader," Avolio said. "There's more noise. There's more scrutiny from
> all levels. The media is smarter and much more aggressive and everyone
> is much more open now for review.
> "Many leaders from the past may have operated with a more
> guarded, top-down decision-making style, which is simply not acceptable
> today in many organizations. The standard should be that anything one
> does in a leadership role should be justifiable and open to public
> scrutiny." Over time, Avolio said, leaders who continually pass "the
> test" will accrue enormous good will and trust.
> "If leaders aren't transparent and trustworthy, they're eventually
> going to get caught," he said. "Very few will get away with what we
> have seen with past unethical behavior. The odds are in favor of being
> transparent."
> Avolio said Warren Buffett of Berkshire-Hathaway is an excellent
> example of a leader who does what he says he will do, and has for
> years operated in the best interest of his organization and those he
> serves on the corporate board, which has proven to be in his best
> interest as well.
> The survey also separated responses of genders and white vs.
> non-white, and size of organizations. Avolio said in general, women
> typically have more positive views of their organization's leadership,
> and non-whites had somewhat of a less positive view than whites. The
> survey also revealed that smaller organizations (of fewer than 100)
> are more likely to rate their leaders as displaying authentic
> leadership.
> "In larger organizations it may be more difficult to sustain

>
> Gallup Leadership Institute
> University of Nebraska - Lincoln
> College of Business Administration
> PO Box 880497
> Lincoln NE 68588-0497
> 402-472-2638
> FAX: 402-472-3189
>



CAMPJON@aol.com

08/07/2004 12:47 PM

To: thomasallangreen@yahoo.com (Tom Green)
cc: jray@ci.lincoln.ne.us (for City Council), jcook@ci.lincoln.ne.us
(Jonathan Cook), gfriendt@ci.lincoln.ne.us (Glenn Friendt),
amcroy@ci.lincoln.ne.us (Annette McRoy), pnnewman@ci.lincoln.ne.us
(Patte Newman), ksvoboda@ci.lincoln.ne.us (Ken Svoboda),
twerner@ci.lincoln.ne.us (Terry Werner)

Subject: Re: Patriot Act

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AUG 09 2004
CITY COUNCIL
OFFICE

Mr. Green:

Thank you for your communication on the Patriot's Act.

I respectfully disagree with your assessment. The Patriot's Act, as recently highlighted in an article in the Wall Street Journal, has been instrumental in reinforcing many of the tools that intelligence gathering agencies have previously had, but lacked coordination.

In light of 9-11 and the continued terrorism in our society, our country must protect its citizens. The Patriot's Act was a bi-partisan effort to do just this.

I hope the Lancaster County Democrat Party will reconsider its position statement. Hidden within your letter and the recent flurry of comments from certain of your central committee individuals is an attack on President Bush, especially as we approach the November general election.

If you wish to conduct a "non-political" dialogue, then perhaps you would like to refrain from pursuing this issue until after the election.

Finally, I hope that none of my colleagues on the City Council will introduce this resolution.

Jon

Jon Camp
Lincoln City Council
City Council Office: 441-8793
Constituent representative: Darrell Podany

Email from Tom Green:

Subj: Patriot Act
Date: 8/4/2004 3:15:34 PM Eastern Daylight Time
From: Tom Green <thomasallangreen@yahoo.com>
To: Jon Camp <jcamp@ci.lincoln.ne.us>, Jonathan Cook
<jcook@ci.lincoln.ne.us>, Glenn Friendt <gfriendt@ci.lincoln.ne.us>, Annette
McRoy <amcroy@ci.lincoln.ne.us>, Patte Newman <pnnewman@ci.lincoln.ne.us>, Ken
Svoboda <ksvoboda@ci.lincoln.ne.us>, Terry Werner <twerner@ci.lincoln.ne.us>

Dear City Council Member,

The Lancaster County Democratic Party has voted to support a resolution to make Lincoln a Patriot act free zone. We believe that parts of the patriot act violate important civil rights and the city of Lincoln

should oppose implementation of the act. We would
urge you to vote for the resolution when it is
introduced before the city council.

Thank you,
Tom Green
Corresponding Secretary, Lancaster County Democratic
Party



CAMPJON@aol.com

08/10/2004 11:58 AM

To: jray@ci.lincoln.ne.us (City Council)

cc:

Subject: Fwd: Re: addition of apartments west 88th st.

--

Jon Camp
Lincoln City Council
City Council Office: 441-8793
Constituent representative: Darrell Podany

----- Message from dan mook <dkmook@inebraska.com> on Thu, 05 Aug 2004 11:39:58 -0700 -----

To: <CAMPJON@aol.com>

Subject Re: addition of apartments west 88th
: st.

on 8/5/04 5:39 AM, CAMPJON@aol.com at CAMPJON@aol.com wrote:

> Dan:
>
> Thanks for the explanation of the VH situation. I will check into the
zoning
> requests and density elements.
>
> Jon
thanks Jon:

please do not expend a lot of your valuable time on this. I am fairly sure
that it is a done deal. It does make me very sad for not only what is
happening to our neighborhood but the way the citizens of Lincoln are
treated. The idea of a democracy is a farce in this country. It is obvious
that majority rules when the majority means those with the financial power.
In any case, we have begun to diligently work toward the goal of leaving
Nebraska and settle somewhere in the northern Ozarks.

I just puzzle why a city such as Springfield MO can have drastically lower
property taxes and other costs, still have a beautiful, progressive city and
an adequate education and medical city.

Again thanks for your efforts.

Dan

10 2004
000000

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AUG 11 2004
CITY COUNCIL
OFFICE

RESOLUTION NO. A-_____

BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of
Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City
Treasurer is hereby directed to hold said investments until maturity unless
otherwise directed by the City Council.

INTRODUCED BY:

Approved:

Don Herz, Finance Director

Approved this ____ day of _____, 2004

Mayor

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CITY COUNCIL
OFFICE

**FINANCE DEPARTMENT
TREASURER OF LINCOLN, NEBRASKA
INVESTMENTS PURCHASED
JULY 26 THRU AUGUST 6, 2004**

We cashed a \$1,380,000 First American Government Obligation Fund at US Bank out of the Short Term Pool on July 27, 2004. We then invested \$120,000 as follows:

\$20,000	Nebraska Public Agency Investment Trust at Union Bank
\$100,000	Treasury Cash Management Fund at Wells Fargo Bank

An investment of \$3,000,000 matured July 28, 2004, and we immediately cashed and reinvested \$3,112,000 as follows in the Short Term Pool:

\$50,000	Treasury Cash Management Fund at Wells Fargo Bank
\$10,000	Nebraska Public Agency Investment Trust at Union Bank
\$3,052,000	First American Government Obligation Fund at US Bank

July 29, 2004, we cashed \$168,000.00 out of the Short Term Pool. We then invested in a \$20,000 Nebraska Public Agency Investment Trust at Union Bank.

We cashed a \$1,827,000 First American Government Obligation Fund at US Bank out of the Short Term Pool on July 30, 2004. We then invested in a \$195,000 Treasury Cash Management Fund at Wells Fargo Bank.

A \$5,000,000 investment matured August 2, 2004, and we immediately cashed along with a \$672,000 investment in the Short Term Pool. We then reinvested \$5,195,000 as follows:

\$70,000	Nebraska Public Agency Investment Trust at Union Bank
\$5,125,000	Treasury Cash Management Fund at Wells Fargo Bank

Due to a surplus of funds in the Short Term Pool, we invested \$654,000 as follows:

\$25,000	Nebraska Public Agency Investment Trust at Union Bank
\$175,000	Treasury Cash Management Fund at Wells Fargo Bank
\$454,000	First American Government Obligation Fund at US Bank

Due to a surplus of funds in the Short Term Pool August 4, 2004, we invested \$297,000 as follows:

\$100,000	Treasury Cash Management Fund at Wells Fargo Bank
\$197,000	First American Government Obligation Fund at US Bank

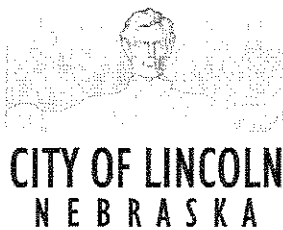
August 5, 2004, we cashed a \$5,400,000 Treasury Cash Management Fund at Wells Fargo Bank out of the Short Term Pool. We then invested in a \$181,000 First American Government Obligation Fund at US Bank

August 6, 2004, we cashed a \$675,000 Treasury Cash Management Fund at Wells Fargo Bank out of the Short Term Pool. We then invested in a \$800,000 First American Government Obligation Fund at US Bank.

We respectfully request approval of our actions.

Don Herz, Finance Director

Melinda J. Jones, City Treasurer



NEWS RELEASE

MAYOR COLEEN J. SENG



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

3140 N Street, Lincoln NE 68510 • Phone: 441-8000

Fax: 441-8323 or 441-6229

FOR IMMEDIATE RELEASE: August 4, 2004
FOR MORE INFORMATION: Nancy Clark, Waste Section Supervisor 441-8021

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AUG 06 2004
CITY COUNCIL
OFFICE

SPECIAL OPPORTUNITY FOR COMPUTER AND ELECTRONICS RECYCLING

The Lincoln-Lancaster County Health Department (LLCHD) encourages private residents to take advantage of a free electronic devices recycling program being offered by the Lincoln Office Depot store at 333 N 50th Street until September 6, 2001. Electronic devices contain several different hazardous chemicals, notably lead and mercury. Computer components especially CRT monitors and televisions are among the most hazardous. Recycling these types of items is the option recommended by LLCHD. "We are excited to see Office Depot and Hewlett Packard (HP) partnering to help with local environmental issues like managing electronic waste." said Beth Mann the Health Department's Household Hazardous Waste Program Coordinator. "Electronics waste is one of the most difficult local waste management issues. We really appreciate their efforts to protect public health and the environment."

In a special program running July 8 through September 6, 2004, Office Depot, in cooperation with HP, will collect electronic devices for recycling. Amounts are limited to one item per person per day. The following items and only these items are eligible for recycling; computers, keyboards, mice, printers, scanners, handhelds, monitors, TV's (27" or smaller, measured diagonally), cell phones, TV/VCR Combos (27" or smaller, measured diagonally), fax machines, desktop copiers, digital cameras & batteries, and all in ones, cell phone chargers,

-more-

cradles and Laptop batteries according to Office Depot's press release. Items that are not accepted for recycling include; small appliances, DVD players or stand-alone VCR's, TV's larger than 27" measured diagonally, radios, batteries, stereo equipment, console TV's furniture, cassette recorders, non-cellular telephones, answering machines, calculators, adding machines, monitors or LCD monitors with broken glass screens.

Office Depot reports that it has partnered with HP to develop the country's first free, nationwide, in-store electronics recycling program in which customers can drop off any brand of unwanted electronics at any of Office Depot's more than 850 retail locations in the continental United States. All products collected from Office Depot stores will be recycled at HP's U.S. recycling facilities in Roseville, Calif. and near Nashville, Tenn. For more information about this program contact Office Depot in Lincoln at 466-3443 or www.officedepot.com/recycle.

DOWNTOWN DIAGNOSTIC

A consultant team headed by Crandall-Arambula of Portland, Oregon has begun working with the Mayor's Downtown Action Team to update the City's 30-year-old plan. The consultants specialize in downtown revitalization, with recent successful efforts in Portland, Oregon; Knoxville, Tennessee; and Racine, Wisconsin. Community workshops are scheduled over the rest of this year, with the first one scheduled for 5:30 p.m. on August 10th at the Cornhusker Hotel. You can follow the progress of this planning effort under **Downtown Master Plan** on Planning's web page.



CITY OF LINCOLN
NEBRASKA
MAYOR COLEEN J. SENG
www.ci.lincoln.ne.us

COMP PLAN CHANGES **CONFIRMED**



The City Council and County Board met together on June 15 to hear public comments on 14 proposed **amendments to the 2025 Comprehensive Plan**. Both boards voted to follow the Planning Commission recommendations on all the proposals.

LOT SUPPLY AND DEMAND

The latest information tabulated by the Planning Department shows a continued reduction in the **supply of lots** for new residential construction. The number of vacant single-family lots in approved and submitted plats stood at 5,316 as of July 1, 2004. This compares to 5,729 lots available three months ago and 6,002 lots available a year ago. Building permits for new single-family homes continue to be strong, with 628 permits issued in the first six months of this year.



Lincoln v. Omaha

The Planning Department is also keeping tabs on **housing costs** for Lincoln compared to its big sister to the east. Using information compiled by the two Realtor associations,* the average cost of new homes sold in Lincoln in 2003 was \$194,024 compared to \$248,469 in Omaha. The average cost of existing homes in Lincoln last year was \$138,319 compared to \$144,266 in Omaha. The data also shows that housing costs have climbed faster in Omaha than in Lincoln over the past five years.

* REALTORS Association of Lincoln and Great Plains REALTORS

PLANNING DEPARTMENT NEWSLETTER

Code Amendments Lined Up

The Planning Department is working on amendments to development regulations that should streamline processes and improve our standards. Below are tentative Planning Commission hearing dates and contacts for more information; draft amendments will be:

- ◆ Changes to Planned Unit Development provisions (Becky Horner): **August 18**
- ◆ Changes to Community Unit Plan, Special Permit and Use Permit provisions (Becky Horner): **September 1**
- ◆ "Build-through" provisions and new street standards for acreages in the City's three-mile jurisdiction (Mike Dekalb): **September 15**
- ◆ Shortening timeframes for plats and simplifying bonding requirements for sidewalks and street trees (Tom Cajka): **October 1**
- ◆ Amendments to Neighborhood Design Standards (Ed Zimmer): **October 13**
- ◆ New standards for Antelope Valley redevelopment area (Steve Henrichsen): **October 13**

NEIGHBORHOOD WORKSHOP

Airport West Subarea Plan

The Planning Department is conducting a workshop and meeting about the future of Northwest Lincoln. This workshop will take place at the Carol Yoakum Center, 4621 N.W. 48th Street on Wednesday, August 25th beginning at 6:00 p.m. and concluding by 7:30 p.m. Please come join us and provide your thoughts.

If you have any questions, please contact Duncan Ross at 441-7603 or at dross@lincoln.ne.gov

Want to Opt Out?

We hope you are finding this newsletter on current planning issues, now over a year old, to be of sufficient interest to keep receiving it. If not, don't worry about telling us – we are accustomed to a certain amount of rejection and promise not to hold it against you when you file your next application with us. So if you want to unsubscribe, please feel free to reply to this newsletter with that request. Of course, if you have any suggestions for improving the newsletter, we want to hear from you also.

CITY OF LINCOLN
NEBRASKA

Marvin Krout, Planning Director • Lincoln/Lancaster County Planning Department
555 South 10th Street, Suite 213 • Lincoln, NE 68508 • 402-441-7491

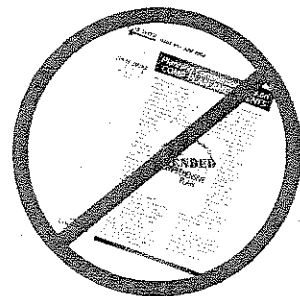
from **A** to **Z**

**F
A
Q
S**

Answers to 16 questions that are most frequently asked of the Planning Department are now posted on Planning's web page. The subjects of the FAQs range from annexation to zoning, with short answers to each question plus links to more detailed information. Please take a look at this new feature, and let us know if we missed your pet question, or if you have any other suggestions for improving this information.

Revenues from Impact Fees

Last month, the impact fee ordinance passed its first year of collections. Public Works and Utilities reports that over that year, a total of just under \$2.5 million was collected with building permits for new construction. Of that amount, just under 80 percent was collected from residential projects and the remainder from commercial projects. About 60 percent of the revenue was directed to the fund for arterial street construction, with smaller amounts going to funds for water, sewer and neighborhood parks and trails. The impact fee ordinance was upheld by the District Court in a challenge to its validity, but that decision is being appealed to higher courts.





MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Lincoln-Lancaster County
Planning Department
Marvin S. Krout, Director
Mary F. Bills-Strand, Chair
City-County Planning Commission

555 South 10th Street
Suite 213
Lincoln, Nebraska 68508
402-441-7491
fax: 402-441-6377

August 5, 2004

Michael Johnson
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508

RE: North Hills 5th Addition Final Plat #04018 -

Dear Mr. Johnson,

North Hills 5th Addition was approved by the Planning Director on July 29, 2004. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per **existing** lot and per **new** lot and \$20.00 per plat sheet for the plat, and \$.50 per **new** lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (date + 14 days), and the recording fee and signed subdivision agreement have been received.

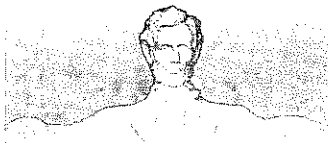
Sincerely,

Becky Horner, 441-6373, rhorne@lincoln.ne.gov
Planner

CC: Joan Ray, City Council (14)
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
Jean Walker, Planning
File

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OFFICE



CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Lincoln-Lancaster County
Planning Department
Marvin S. Krout, Director

Mary F. Bills-Strand, Chair
City-County Planning Commission

555 South 10th Street
Suite 213

Lincoln, Nebraska 68508
402-441-7491
fax: 402-441-6377

RECEIVED

AUG 11 2004

CITY COUNCIL
OFFICE

August 11, 2004

Michael Johnson
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508

RE: Highlands Business Park 4th Addition Final Plat

Dear

Highlands Business Park 4th Addition was approved by the Planning Director on August 11, 2004. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per **existing** lot and per **new** lot and \$20.00 per plat sheet for the plat, and \$.50 per **new** lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (date + 14 days), and the recording fee and signed subdivision agreement have been received.

Sincerely,

Becky Horner, 441-6373, rhorne@lincoln.ne.gov
Planner


CC: Joan Ray, City Council (14)
Dennis Bartels, Public Works & Utilities
Terry Kathe, Building & Safety
Sharon Theobald, Lincoln Electric
Jean Walker, Planning
File

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**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

AUG 10 2004
CITY COUNCIL
OFFICE

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : August 10, 2004

RE : **Special Permit No. 04038**
(Broadcast Tower - N. 31st Street and North View Drive)
Resolution No. PC-00883

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, August 4, 2004:

Motion made by Krieser, seconded by Larson, to approve **Special Permit No. 04038**, with conditions, requested by Edward Rose Properties, for authority to construct a 100' tall broadcast tower for a satellite master antenna television system, on property generally located northeast of the intersection of N. 31st Street and North View Drive. Motion for approval, with conditions, carried 9-0: Larson, Carroll, Sunderman, Carlson, Taylor, Marvin, Pearson, Krieser and Bills-Strand voting 'yes'.

The Planning Commission's action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
James Hall, Edward Rose Properties, Inc., P.O. Box 3015, Kalamazoo, MI 49003
Arthur Knox, 920 Pine Tree Lane, 68521

RESOLUTION NO. PC- 00883

SPECIAL PERMIT NO. 04038

1 WHEREAS, Edward Rose Properties has submitted an application
2 designated as Special Permit No. 04038 for authority to construct a 100' tall broadcast
3 tower for satellite master antenna television system on property generally located
4 northeast of the intersection of N. 31st Street and North View Drive, and legally
5 described as:

6 Lot 82 I.T., in the South Half of Section 6, and Lot 62 I.T., in
7 the Southwest Quarter of Section 6, Township 10 North,
8 Range 7 East of the 6th P.M., Lancaster County, Nebraska;

9 WHEREAS, the Lincoln City-Lancaster County Planning Commission has
10 held a public hearing on said application; and

11 WHEREAS, the community as a whole, the surrounding neighborhood,
12 and the real property adjacent to the area included within the site plan for this broadcast
13 tower will not be adversely affected by granting such a permit; and

14 WHEREAS, said site plan together with the terms and conditions
15 hereinafter set forth are consistent with the comprehensive plan of the City of Lincoln
16 and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the
17 public health, safety, and general welfare.

1 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster
2 County Planning Commission of Lincoln, Nebraska:

3 That the application of Edward Rose Properties, hereinafter referred to as
4 "Permittee", to construct a 100' tall broadcast tower for satellite master antenna
5 television system be and the same is hereby granted under the provisions of Section
6 27.63.150 the Lincoln Municipal Code upon condition that construction of said tower be
7 in strict compliance with said application, the site plan, and the following additional
8 express terms, conditions, and requirements:

9 1. This permit approves a 100' tall broadcast tower and accessory
10 building for SMATV ground equipment.

11 2. Before receiving building permits:

12 a. The Permittee must submit a revised site plan and five
13 copies showing the required number of trees to provide
14 screening consistent with Design Standards.

15 b. The construction plans must conform to the approved plans.

16 3. Before use of the facility all development and construction must be
17 completed in conformance with the approved plans.

18 4. All privately-owned improvements must be permanently maintained
19 by the Owner or an appropriately established homeowners association approved by the
20 City Attorney.

21 5. The site plan approved with this permit shall be the basis for all
22 interpretations of setbacks, yards, locations of buildings, location of parking and
23 circulation elements, and similar matters.

1 6. The terms, conditions, and requirements of this resolution shall be
2 binding and obligatory upon the Permittee and the Permittee's successors and assigns.
3 The building official shall report violations to the City Council which may revoke the
4 special permit or take such other action as may be necessary to gain compliance.

5 7. The Permittee shall sign and return the City's letter of acceptance
6 to the City Clerk within 30 days following approval of the special permit, provided,
7 however, said 30-day period may be extended up to six months by administrative
8 amendment. The City Clerk shall file a copy of the resolution approving the special
9 permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be
10 paid in advance by the Permittee.

11 The foregoing Resolution was approved by the Lincoln City-Lancaster
12 County Planning Commission on this 4th day of August, 2004.

ATTEST:


Chair

Approved as to Form & Legality:



Chief Assistant City Attorney


**PLANNING COMMISSION FINAL ACTION
NOTIFICATION**

RECEIVED

AUG 10 2004

CITY COUNCIL
OFFICE

TO : Mayor Coleen Seng
Lincoln City Council

FROM : Jean Walker, Planning 

DATE : August 10, 2004

RE : **Preliminary Plat No. 04016 - Whispering Creek**
(S. 112th Street and Old Cheney Road)
Resolution No. PC-00884

The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, August 4, 2004:

Motion made by Larson, seconded by Krieser, to approve **Preliminary Plat No. 040106, Whispering Creek**, with conditions, as amended at the request of the applicant, requested by Brian D. Carstens & Associates on behalf of Connie Heier and Patricia Slaughter, for 50 residential acreage lots, including approval of the waiver requests for ornamental street lighting, sidewalks, street trees, landscape screens, block length and stormwater detention, on property generally located southeast of the intersection of South 112th Street and Old Cheney Road. Motion for approval with conditions, as amended, carried 6-3: Carroll, Taylor, Sunderman, Larson, Krieser and Bills-Strand voting 'yes'; Carlson, Marvin and Pearson voting 'no'.

The Planning Commission action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

Attachment

cc: Building & Safety
Rick Peo, City Attorney
Public Works
Brian D. Carstens & Associates, 601 Old Cheney Road, Suite C, 68512
Kent Seacrest, Attorney at Law, 1111 Lincoln Mall, Suite 350, 68508
Patricia Slaughter, 507 Redbird Lane, South Sioux City, NE 68776
Connie Heier, 2600 S. 120th Street, Walton, NE 68461

RESOLUTION NO. PC- 00884

1 WHEREAS, Connie Heier and Patricia Slaughter have submitted the preliminary
2 plat of Whispering Creek Addition for acceptance and approval together with a request
3 pursuant to Section 26.31.010 of the Lincoln Municipal Code to waive Land Subdivision
4 Ordinance requirements regarding ornamental lighting, sidewalks, street trees, landscape
5 screens, block lengths, and storm water detention; and

6 WHEREAS, the Planning Director has recommended conditional approval of
7 said preliminary plat as contained in pages 5 through 9 of the staff report prepared by Mike
8 DeKalb, Planner, dated July 9, 2004, which pages are attached hereto as Exhibit "A"; and

9 WHEREAS, the Planning Director has recommended approval of the requested
10 waivers; and

11 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County
12 Planning Commission that the preliminary plat of Whispering Creek Addition, located generally
13 southeast of the intersection of S. 112th Street and Old Cheney Road as submitted by Connie
14 Heier and Patricia Slaughter is hereby accepted and approved, subject to the terms and
15 conditions set forth in Exhibit "A", which is attached hereto and made a part of this resolution as
16 though fully set forth verbatim.

17 BE IT FURTHER RESOLVED that the Lincoln City-Lancaster County Planning
18 Commission finds that the tract to be subdivided is surrounded by such development or unusual
19 conditions that strict application of the subdivision requirements would result in actual difficulties
20 or substantial hardship and the following modifications to the Land Subdivision Ordinance
21 requirements are therefore approved:

22 1. The requirements of Sections 26.27.020, 26.27.070, 26.27.080, and
23 26.27.090 of the Lincoln Municipal Code regarding the installation of sidewalks, ornamental

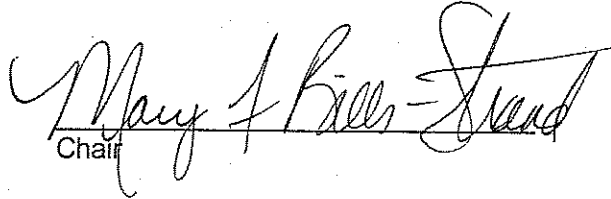
1 street lights, landscape screens, and the planting of street trees are waived pursuant to Section
2 26.31.010 based upon the rural nature of the proposed development and its location outside the
3 corporate limits.

4 2. The requirement of Section 26.23.130 of the Lincoln Municipal Code that
5 block lengths shall not exceed 1,320 feet is waived to allow the block length to exceed 1,320
6 feet for those streets shown on the preliminary plat which exceed 1,320 feet between
7 intersections.

8 3. The requirement of § 26.23.105 of the Lincoln Municipal Code for on-site
9 storm water detention is waived.

DATED: August 4, 2004.

ATTEST:


Chair

Approved as to Form & Legality:


Chief Assistant City Attorney

CONDITIONS:

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans and 6 copies to the Planning Department office, the preliminary plat will be signed by the Chair of the Planning Commission certifying approval: (NOTE: These documents and plans are required by ordinance or design standards.)
 - 1.1 Revise the preliminary plat to show:
 - 1.1.1 Remove the City Clerk approval block.
 - 1.1.2 Show the location and pipe size of the water system.
 - 1.1.3 Revise the street curves to the satisfaction of Public Works.
 - 1.1.4 Revise the 100 pool elevations to the satisfaction of Public Works.
 - 1.1.5 Show the 100 year flood easements.
 - 1.1.6 Show grading for 120th Street, 112th Street and Old Cheney Road as requested by Public Works.
 - 1.1.7 Show that Lot 1, Blk 3; Lot 16 Blk 2 and Lots 1 and 2 Blk 1 are buildable with individual waste disposal and the gas line easement or revise accordingly.
 - 1.1.8 Remove note #16.
 - 1.1.9 Revise the conflict of the surveyors area and Note # 1.

- 1.1.10 Show the flood pool setback easements. Since this is not a CUP, yard line setbacks should not be shown.
- 1.1.11 Show the revisions required in the County Engineers memo dated March 26, 2004;
- 1) Right-of-way dedication along South 120th Street, South 112th Street and Old Cheney Road that equals 60 feet from the section line.
 - 2) General Note # 12 revised to "only one residential access permitted per lot" and to be noted on all Final Plats.
 - 3) Developer shall be responsible for installation of all traffic control devices and street identification signs.
 - 4) General Note #7 needs to be revised to reflect conditions and requirements for paving of South 120th Street.
 - 5) General Note #10 needs to be revised to reflect temporary dead ends of Whispering Creek Drive and Deerfield Trail. Work with the Lancaster County Engineer to show the connections of these streets with South 112th and South 120th Streets. The County will revise the intersection after county improvements if required. Also, only one access to Outlot "A" will be allowed which would be onto South 120th Street (Revised after conversation with Don Thomas, County Engineer, 7-9-04).
 - 6) Developer shall be responsible for grading and paving, to County Standards, South 120th Street from Old Cheney Road to Waters Edge Drive. Developer shall develop plans for this work to be approved by this office. Lancaster County will obtain necessary right-of-way on the east side of South 120th Street.
 - 7) General Note #7 needs to be revised to reflect the 50 feet radius for intersections with the section line roads.
 - 8) A culvert is needed under Deerfield Trail west of South 120th Street.
 - 9) The cul-de-sac of Greyhawk Circle should be graded to match the existing ground without a steep peak in the center.

10) The details on the grading plan for "G" do not match the culvert analysis data.

11) On culvert "D" the headwater for the 10 year storm is over the road. The culvert calculations show no roadway overlapping.

1.1.12 Show sanitary sewer easements to the satisfaction of Public Works which would allow future urban sanitary sewer service to (i) the lots within the Preliminary Plat and (ii) to the upstream neighboring properties abutting the Preliminary Plat. (**Per Planning Commission at the request of the applicant, 08/04/04**)

1.1.13 Add a note to the Preliminary Plat stating: "In the future, the final platted area may be annexed and become part of the City of Lincoln. The City may desire to extend urban sanitary sewer and/or water service into or through the final platted area and specially assess the benefitted properties. The lot owners agree not to object to the levying of reasonable assessments against their respective lots located within the sanitary sewer and/or water district or districts and further agree to pay all assessments so levied as they become due and payable."
(**Per Planning Commission at the request of the applicant, 08/04/04**)

2. The Planning Commission approves associated requests:

- 2.1 A waiver to the sidewalk, street lighting, landscape screen, and street tree requirements since the area of each lot exceeds 1 acre and the subdivision will not be annexed
- 2.2 A waiver to the stormwater detention requirements since the density of the development and the NRD pond accomplish the same objective.
- 2.3 A modification to the requirements of the land subdivision ordinance to permit block length exceeding 1320 feet on the boundary of the subdivision and on S 114th Street and S. 117/Waters Edge Drive.

General:

3. Final Plats will be approved by the Planning Director after:

- 3.1 You have completed or posted a surety to guarantee the completion of the public streets, water system, drainage facilities, land preparation and grading, sediment and erosions control measures, drainageway improvements, temporary turnaround and barricades, and street name signs.
- 3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

You must agree:

to complete the street paving of streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of the final plat.

to complete the public water distribution system to serve this plat within two (2) years following the approval of the final plat.

to complete the enclosed drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.

to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of the final plat

to complete the installation of the street name signs within two (2) years following the approval of the final plat.

to complete the installation of temporary turnarounds and barricades located at the temporary dead-end of the street or post a surety to guarantee the installation. The installation is to be completed within two years following the Planning Commission's approval of this final plat.

to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

to complete the public and private improvements shown on the preliminary plat

to retain ownership of or the right of entry to the outlots in order to maintain the outlots and private improvements on a permanent and continuous basis and to maintain the plants in the medians and islands on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating, in writing, a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the private improvements have been satisfactorily installed and the documents creating the association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

to submit to the lot buyers and home builders a copy of the soil analysis.

to pay all design, engineering, labor, material, inspection, and other improvement costs

to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

to protect the trees that are indicated to remain during construction and development.

to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.

to relinquish the right of direct vehicular access to 120th Street except at Deerfield Trail and Waters Edge Drive and one limited access to the Outlot "A". To relinquish direct access to Old Cheney Road. To relinquish access to 112th Street except at Whispering Creek Drive and Aspen Canyon Road.

to maintain County roads until the County Board specifically accepts the maintenance.

to timely complete the public and private improvements and facilities required by Chapter 26.23 of the Land Subdivision Ordinance which have not been waived including but not limited to the list of improvements described above.

to post the required security to guarantee completion of the required improvements if the improvements are not completed prior to approval of the final plat.

Prepared by:

Mike DeKalb
441-6370, mdekalb@ci.lincoln.ne.us
Planner

July 9, 2004

**APPLICANT/
OWNER:**

Connie Heier
2600 South 13th Street
Walton, NE 68461
(402)

Patricia Slaughter
507 Red Bird Lane
South Sioux City, NE 68776

CONTACT:


Brian Carstens
Carstens and Associates
601 Old Cheney Road, Suite
Lincoln, NE 68512
474-6311

Tammy J Grammer

08/11/04 11:00 AM

To: Karen K Sieckmeyer/Notes@Notes

cc:

Subject: Re: Appeal 

Karen,

Okay, Thanks.

Tammy

Karen K Sieckmeyer

RECEIVED
AUG 11 2004
CITY COUNCIL
OFFICE

Karen K Sieckmeyer

08/11/04 10:58 AM

To: Tammy J Grammer/Notes@Notes

cc:

Subject: Appeal

Tammy,

Attached is the report and recommendation that needs to go in the council packet for the impact fee appeal on the agenda for Monday, August 16th.

Thanks



Impact Fee Appeal - IFA-04005.w

IMPACT FEE ADMINISTRATOR REPORT & RECOMMENDATION

IMPACT FEE APPEAL - IFA-004005:

APPELLANT: Berean Fundamental Church of Lincoln, Nebraska
6400 S. 70th Street
Lincoln, NE 68516
(402) 483-6512

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AUG 11 2004
CITY COUNCIL
OFFICE

PROPERTY: 6400 South 70th Street

REQUEST: The appellant is appealing from the Impact Fees Determination dated May 4, 2004 (#IF0406982) on the basis that (1) the determination failed to consider appropriate credits which would have decreased the fee; (2) the determination was improperly computed and determined in that the formula set forth in the ordinance and regulations was not correctly followed; and (3) the imposition of the "Impact Fee" is in fact a tax which Berean Church is exempt from paying under Nebraska law.

RECOMMENDATION:

Denial

REASONS:

- (1) The appellant failed to timely request an exemption from arterial street impact fees pursuant to Lincoln Municipal Code §27.82.060(c) as the exemption was not applied for on or before the date the application for the building permit was made.
- (2) The appellant failed to timely appeal from the May 4, 2004 determination pursuant to Lincoln Municipal Code §27.82.110(i) as the appeal was not filed with the City Clerk within ten days after the May 4, 2004 determination.
- (3) The development for which the building permit was requested does not meet any of the stipulations or conditions required for reduction in or exemption from arterial street impact fees.
- (4) The arterial street impact fees were correctly calculated pursuant to Lincoln Municipal Code §27.82.050(c)(1) through the use of the arterial impact fee schedule adopted by the City Council as appellant did not request that the City determine the amount of such impact fees pursuant to an independent fee calculation study.
- (5) The appellant is not exempt from paying the arterial impact fees under Nebraska law as the fees, if determined to be a tax, would be an excise tax and not a property tax.

FACTS:

- (1) On April 27, 2004, Sampson Construction Company, on behalf of the appellant, applied for a building permit to construct a 30,325 square foot new structure on the church property located at 6400 South 70th Street. Building Permit No. B0401352 was issued for this new structure on June 25, 2004.
- (2) On April 27, 2004, Sampson Construction Company submitted on behalf of the appellant a request for an Impact Fees Determination for the new structure, identified as Impact Permit No. IF040692 for Building Permit No. B0401392. Under paragraph (c) of the Impact Fees Determination form entitled Exemptions/Exclusions Claim, Sampson Construction Company only requested exemption for water system, water distribution, and wastewater impact fees on the basis that the new building would be connected to the existing water service and without any increase in the size of the water meter. The requested exemptions from water system, water distribution and wastewater impact fees were granted and the Impact Fee Administrator determined that the total amount of impact fees due for the project was \$19,529.30, all attributable to arterial street impact fees. The \$19,529.30 was calculated using the Arterial Street Impact Fee Schedule beginning January 1, 2004 for church use (\$644/1,000 square feet).
- (3) The \$19,529.30 impact fees payment was paid to and received by the Department of Building and Safety on June 25, 2004.
- (4) The Impact Fee Notice of Appeal was received in the City Clerk's Office on July 21, 2004.

DISCUSSION:

Lincoln Municipal Code §27.82.050(a) provides that "any person who applies for a building permit for a development . . . shall pay a water system impact fee, water distribution impact fee, wastewater impact fee, arterial street impact fee, and neighborhood park and trail impact fee unless the type of development described in the permit or to be engaged in is specifically exempted, waived or subsidized by this ordinance [Impact Fee Ordinance]. . .

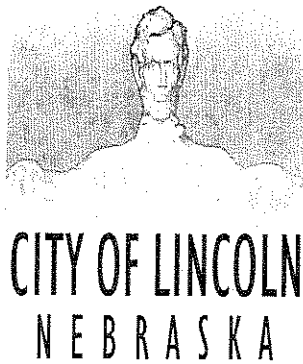
Lincoln Municipal Code §27.82.060(c) provides that if a permit is required for the proposed development, any claim for exemption must be made no later than the date of the application for the permit for the proposed development. No claim for an exemption from arterial street impact fees was made on or before June 25, 2004 when the building permit was issued. The only request for exemption made on or before June 25, 2004 was the request for the approved exemptions from water system, water distribution, and wastewater impact fees.

Lincoln Municipal Code §27.82.110(i) provides that "[a]ny determination made by any official of the City charged with the administration of any part of this ordinance may be appealed

by the aggrieved party to the City Council by filing (1) a written Notice of Appeal on a form provided by the City, and (2) a written explanation of why the appellant feels that a determination was in error. Subsection (i) further provides that appeals must be filed with the City Clerk within ten days after the determination for which the appeal is being filed.” The notice of appeal in this matter was not filed until June 21, 2004, which date is well beyond the ten-day period in which to file the notice of appeal from the May 4, 2004 Impact Fees Determination.

Lincoln Municipal Code §27.82.050(c) provides that the Impact Fee Administrator shall determine the amount of each required impact fee through the use of impact fee schedules adopted by the City Council unless the person applying for the permit for development requests that the City determine the amount of such fee pursuant to an independent fee calculation study. Subsection (c)(4) provides that if a person is applying for a permit for the expansion, redevelopment, or modification of an existing development, the fee shall be based on the net increase in the fee for the new use as compared to the previous use, and subsection (c)(5) provides that if no use was in operation on the site within the last fifteen years, the redevelopment shall be treated the same as a new development. In the present matter, whether the construction of the new building was deemed to be an expansion of the existing church use or a new church use, the calculation of the impact fee due under the impact fee schedule would be the same as the unit of measure for a church is per 1,000 square and the fee per unit is \$644.

Article VIII, Section 2 of the Constitution of the State of Nebraska provides in part that the Legislature by general law may classify an exemption from taxation property owned by and used exclusively for religious purposes, when such property is not owned or used for financial gain or profit to either the owner or user. This section of the state constitution authorizing tax exemption for property owned by churches is not self-executing but requires action by the Legislature to carry the constitutional provision into effect. Indian Hills Comm. Ch. v. Bd. of Equal., 226 Neb. 510, 412 N.W.2d 459 (1987). That legislation is found in Neb. Rev. Stat. § 77-202 (Reissue 2003) which provides that (1) the following properties shall be exempt from property taxes: . . . (d) property owned by educational, religious, charitable or cemetery organizations. . . and used exclusively for educational, religious, charitable, or cemetery purposes when such property is not (i) owned or used for financial gain or profit to either the owner or the use. However, this exemption is not applicable to excise taxes as excise taxes are not a tax upon property but rather a tax upon a privilege. In re Estate of Rudge, 114 Neb. 335, 207 N.W. 520 (1926). Here, the impact fees are not based on property value and thus cannot be classified as a tax on property. State v. Galyen, 221 Neb. 497, 378 N.W.2d 182 (1985). Rather, if said fees constitute a tax, they are a tax on the privilege of developing property and thus constitute an excise tax. However, the issue as to whether the impact fees are a regulation or a tax has not been finally determined as the decision of the district court holding said fees to be a valid excise tax is on appeal to the Nebraska Court of Appeals.



PUBLIC WORKS & UTILITIES ADVISORY

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

30th Street; Randolph - Mohawk Residential Rehabilitation Project #701752 August 12, 2004

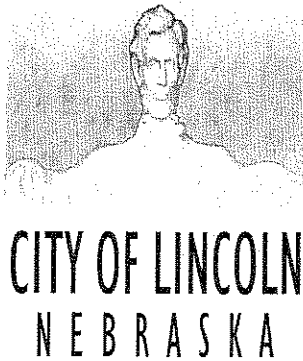
The City of Lincoln, Department of Public Works would like to take this opportunity to inform you of the removal of your street from the 2004 Residential Rehabilitation Program. The Storm Sewer Project 701-681 in your area has been delayed to the extent that we cannot complete the pavement repair within this construction season. Our intention was to rehabilitate the street after the storm sewer project had been completed. We are keeping this area as a high priority and it will be completed as soon as our budget allows. If I can answer any further questions about this project, please feel free to call me.

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AUG 12 2004

CITY COUNCIL
OFFICE

Steven Faust
Rehabilitation Coordinator
City of Lincoln Engineering Services
531 Westgate Blvd., Suite 100
Lincoln, NE 68528
(402) 441-8413



PUBLIC WORKS & UTILITIES ADVISORY

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

30th Street; Randolph - Mohawk Residential Rehabilitation Project #701752 August 12, 2004

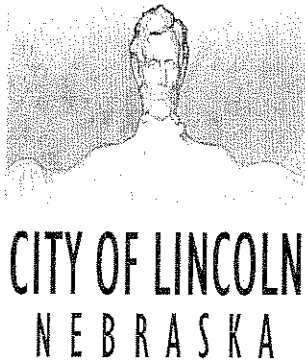
The City of Lincoln, Department of Public Works would like to take this opportunity to inform you of the removal of your street from the 2004 Residential Rehabilitation Program. The Storm Sewer Project 701-681 in your area has been delayed to the extent that we cannot complete the pavement repair within this construction season. Our intention is to rehabilitate the street after the storm sewer project has been completed in the 2005 construction season. If I can answer any further questions about the project, please feel free to call me.

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AUG 12 2004

CITY COUNCIL
OFFICE

Steven Faust
Rehabilitation Coordinator
City of Lincoln Engineering Services
531 Westgate Blvd., Suite 100
Lincoln, NE 68528
(402) 441-8413



PUBLIC WORKS & UTILITIES ADVISORY

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

30th Street; Vine - W Street Residential Rehabilitation Project #701752 August 12, 2004

The City of Lincoln, Department of Public Works would like to take this opportunity to inform you of Street Rehabilitation in your area. The Storm Sewer Project 701-318 being constructed in your area has prompted us to include your street in the 2004 Residential Rehabilitation work. We are including an information handout with this notice. The street work, which will follow soon after the storm drainage work, should take approximately two additional weeks. If you are interested in knowing more about the project or access during construction, please feel free to call me.

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AUG 12 2004

CITY COUNCIL
OFFICE

Steven Faust
Rehabilitation Coordinator
City of Lincoln Engineering Services
531 Westgate Blvd., Suite 100
Lincoln, NE 68528
(402) 441-8413

HANNA:KEELAN ASSOCIATES, P.C.

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AUG 10 2004
CITY COUNCIL
OFFICE

3275 HOLDREGE P.O. BOX 30552
LINCOLN, NE 68503
(402) 464-5383

Fax: (402) 464-5856

E-mail: planner@hannakeelan.com

Website: www.hannakeelan.com

TRANSMITTAL LETTER

Date: August 6, 2004

To: Diana

RE: Replacement changes on 48th & "O" Study, per Joel P. City Attorney

Sender: Lonnie Dickson

Project

No: 757

Diana:

The single sided sheets are the replacement pages for you master copy of the document.

The stapled pages are the changes (yellow highlight) that Joel P. , of the City Attorneys Office, requested .

Thank you again for your assistance.

Lonnie Dickson, AICP
Hanna:Keelan Associates, P.C.
ldickson@hannakeelan.com

Combined Weed Program

City of Lincoln

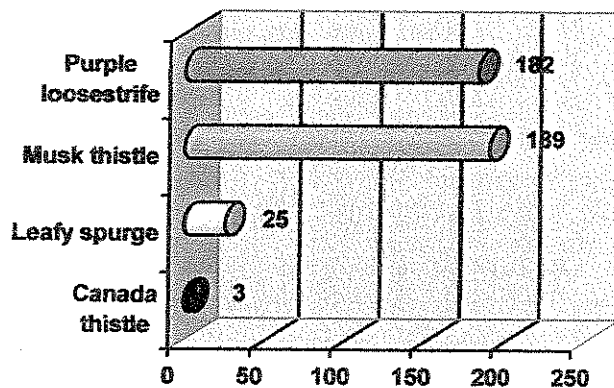
July 2004 Monthly Report

Inspection Activity

3,436 inspections on 1,733 sites have been made to date. 929 inspections were made during the month.

Noxious Weeds

- Made 895 inspections on 483 sites on 1,858 acres.
- Found 399 violations on 322 acres.



- Found no violations on 81 sites.
- Sent 39 notices, 310 letters, 9 trace cards and made 57 personal contacts.
- 199 control plans have been received.
- 9 sites controlled by inspectors.
- 221 sites controlled by landowners.
- 1 site forced controlled by contractors
- Control is pending on 143 sites.

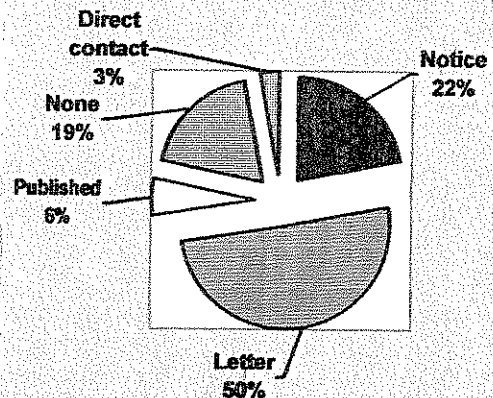
Weed Abatement

- Made 2,541 inspections on 1,250 sites on 842 acres.
- Found 992 violations on 557 acres.
- Found no violations on 261 sites.
- Sent 308 notices, 711 letters, published 81 notifications and made 42 personal contacts.
- 767 sites cut by landowners.
- 45 force cut by contractors
- Cutting is pending on 206 sites.

- 1,255 complaints received on 1,013 sites.

INSPECTION SUMMARY

2,541 inspections of 1,250 sites



Purple Loosestrife

Purple loosestrife has been found in over 200 homeowner yards. Escaped plants have been found in 24 drainageway and wetland sites.

JUNE Activities

- 1 Budget hearing 9:30 Rm 113
- 4 Environmental Trust 10:00 Kearney
- 12 Mgt Team Mtg 7:30
- 30 Monthly activity report

Planned JULY Activities

- 8 Mgt Team Mtg
- 26 LPWMA Tour
- 29 LPWMA Meeting
- 31 Monthly activity report
- State fair committee

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JUL 1 2004
CITY COUNCIL
OFFICE

Wood Control Authority
Lincoln County

Proposal

Date
June 19, 2004

Mayor

Director of Transportation

Supervisor of Impound

President of City Council

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AUG 09 2004
CITY COUNCIL
OFFICE

The majority of large cities in the United States are having a complicated and serious problem as what to do with the ever-increasing number of non-title vehicles, dirt bikes, ATV's. The administrative, accounting and storage costs are very expensive. There also appears to be an environmental and public relations problems.

We had a well established law firm investigate and research this matter with city attorneys, police departments and impound officials. They concluded that legality and liability considerations were the defining issues. They absolutely assured us that our approach to this purchase is a corrected legal transfer of property.

ATV Sport Parts is convinced we have addressed these issues in a proper and comprehensive manner with this proposal.

1. ATV Sport Parts Inc. would purchase all non-title vehicles, (dirt bikes, ATVs) currently in storage at the city impound.
2. These machines would be purchased and paid for in lots of ten units per month. ATV Sport Parts Inc. would sort, load, and transport these units to Indianapolis, Indiana, where they would be dismantled for parts and accessories.
3. ATV Sport Parts Inc. will provide absolute identification and notarized proof of ownership. Provide paid receipts for any outstanding citations against these vehicles, and advertise each for 21 days in a local newspaper.
4. The purchase price would be two hundred fifty dollars (\$250) per unit. This price is based on the following conditions and considerations.
 1. We have the expense of tracing and determining the rightful owner, in most cases paying him for a notarized bill of sale and clearing outstanding citations and debts.
 2. Machines have been stored for 1-4 years and subject to extremes of weather and total neglect.
 3. None of these units were drained, winterized or covered.
 4. The condition can only be described as poor, 95% of the engines have corroded and seized tight, being aluminum, high RPM, with close tolerances. The result is stuck valves, frozen pistons and scored cylinder walls. In the case of liquid cooled engines, crank cases, radiators, and batteries have frozen, cracked, and burst.

5. Crank case oil was not drained which contains harmful acids and other contaminants, causing crankshaft and bearing pitting and scoring.
6. Seats, tires, hoses, cables and other rubber and poly parts are seriously damaged.

ATV Sport Parts Inc. estimates that the proceeds from this sale would net the city \$25,000 in the first year alone, reduce administrative and accounting costs, free up much needed storage space and resolve an ongoing public relations problem. Since these machines are being shipped out of state it would not effect local bike and ATV retailers.

ATV Sport Parts Inc. would advance a \$2500.00 payment as a confirmation of our intent and resolve. We also agree to accept all responsibility and liability for any units purchased.

If there are any problems, objections or legalities not covered in this proposal, please advise and we will address those issues.

Please contact us for any further details, information or to discuss this matter.

ATV Sport Parts Inc,
Paul L. Sweeney

Mid-Atlantic Rep.
3001 Edmondson Ave.
Baltimore, Md. 21223
410-624-4608



**DO NOT REPLY to this-
InterLinc
<none@lincoln.ne.gov
>**

To: General Council <council@lincoln.ne.gov>
cc:
Subject: InterLinc: Council Feedback

08/09/2004 06:26 PM

InterLinc: City Council Feedback for
General Council

Name: Kent
Address: Stauffer
City: Lincoln, NE 68516

Phone:
Fax:
Email: kentstauffer@cornhusker.net

Comment or Question:
Jon,

Question?

Can you please tell me if the \$75 million bond issue being proposed in September will include a round-about AROUND this city so as to reduce the traffic on Hiway 2? Or is it just for "in house" improvements within Lincoln as we see/know it today?

Pending your response on that issue, if the issue would REMOVE TRAILS, I'd likely for FOR. If not, I'll vote AGAINST!

Streets are a MUST!!! Trails? A luxury!!

Kent

Thank you,

Kent

2004
CITY OF LINCOLN
OFFICE




Joan V Ray

08/10/2004 12:38 PM

To: "Carol B" <carolserv@hotmail.com>

cc:

Subject: Re: my sincere apologizes!!!! 

Dear Carol Brown: Your message has been received in the Council Office and will be forwarded to the Council Members. Thanks.

Tammy Grammer
City Council Office
555 S. 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533
"Carol B" <carolserv@hotmail.com>



"Carol B"
<carolserv@hotmail.co
m>

To: council@ci.lincoln.ne.us

cc:

Subject: my sincere apologizes!!!!

08/09/2004 10:03 PM

Council members and in particular Councilman Camp,
My sincere apologizes!!! I did say raided when I looked over my testimony on
the budget this evening. I have attached my testimony for your review. The
comment of raided was however explained that I was referring to Mr. Abbott
cutting our sidewalk repair monies and street rehab monies to accomplish his
list of road projects.

Humbly yours,
Carol Brown

Don't just search. Find. Check out the new MSN Search!
<http://search.msn.click-url.com/go/onm00200636ave/direct/01/>



budget testimony.doc

Handwritten notes and stamps at the bottom of the page, including "CITY" and "2004".

I thank the members of the city council for challenging the inner workings of this budget. I also thank those for making public safety a number one priority. I was on the hometown security committee. Councilpersons McRoy and Svoboda you also were members of this committee. (Refer to committee report) It was balanced, it was not a rubber stamp committee as characterized by some council members. Many hours were spent analyzing the needs of the city/county, both because of the growth the city has experienced and because of the concerns of terrorism in the world. Some of the recommendations are as follows: Fire depart establish a 10 year goal of 1.3 firefighter per 1000 residents, Police depart establish 1.5 officers per 1000 residents over the next decade. There were also recommendations of updating equipment and civilian support staff. This report is not bogus, we put in a lot of time and consideration of budget into this process. In the continuing needs of a rapidly growing community, safety should be our top priority. Again if you believe that growth pays for itself we should have no trouble paying for the services so drastically needed for safety.

It was a real eye popper to listen to the budget hearings. Designating monies for special purposes like street tree replacement and then we never see the trees replaced. Asking for monies for a one project and then those monies being shifted over for another project is just wrong. It is deceptive to think that we as taxpayers will not pay attention to the intended purpose of these funds.

An Intelligent Transportation system was purchased several years ago to synchronize our street lights to promote smoother traffic flow. Why do we now need to hire someone to run the system after the fact? No one in the department knows how to run the system why did they purchase it in the first place? How do we even know if it will work? Why not buy a product with a support system attached to the product in the purchase agreement?

I get the feeling PW thinks it is a burden for them to maintain the existing community. Hitting the sidewalk funds or the street rehab funds is a low blow to the residents that live in the existing community. They pay taxes on their homes thinking all along these taxes are being used to maintain what we have.

If public works is looking for savings it should not be at the expense of the existing neighborhoods. My suggestion would be that PW starts at the bottom of their 'new road project priority list' and cut there. We need to take care of what we have FIRST! For too long existing neighborhoods have had to scrape the bottom of the bucket for funds.

If building new streets are such a high priority in this community then I advise the homebuilders drop their impact fee lawsuit against the city and free up the impact fee monies so PW can get busy on building these new roads they need for new development. It is time the building industry carries some of the burden of this growth they are promoting as being good for this city. We hear growth pays for itself. If you believe that growth pays for itself then why are we in the mess we are and why are our funds to maintain our city being raided to continue growth.

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2011
OCT 10 10 00 AM

I have concerns that projects the city contracts out are not reflecting quality workmanship. For one instance our sidewalks recently repaired are not up to the standards that we have expected in past years. Where are the responsible parties when these sidewalks start to crack in just a short period of time? Where are our warranties? Where are our guarantees so we won't be in the same mess we are today, in 5 years, trying to fight for funds to rehab our sidewalks and roads? We have had some sidewalks in this community over 50 years, which are in better shape than our replacement sidewalks.

Another example is poor design of the new city parking garage area. Many of the posts at the exits have been hit by vehicles. When you do pull out to exit you cannot see the traffic flow past the wall and have to pull way out onto the sidewalk. Hopefully you do not hit someone or have a bicycle run into your vehicle. We expect our tax dollars to be used wisely.

Coordinating projects were also a mandate in the infrastructure finance committee report and yet we still see projects being done when another project for the same area is slated that will disrupt work already finished.

Coordinating studies with other city entities should also be routine. A recent study, that the Chamber conducted, was done to see where to place an event center. Maybe this study could have been coordinated with the Downtown study that is now in place, saving a substantial amount of money.

How much money does growth take? It is not just the bond for the new streets we will need to grow it is fire stations, police substations, sewer, electrical substations, water, trails and finally new schools.

The piggy banks in many homes in this community are empty. Residents expect the city to use their tax monies in a very frugal manner, spending the resources wisely and fairly. Not too long ago you debated the living wage. In the testimony and the exploration of wages in Lincoln you exposed a very poor segment of the community. These are the members of the community that you need to keep in mind when you are about to raise taxes.

I think you and the city employees work very hard. I am just asking that we incorporate creativity into how we are running this city. Look around every corner for savings. Dump over the budget basket and ask what is this used for? Is it a want or a necessity? Have we taken care of what we have.....

RECEIVED

200




Joan V Ray

08/10/2004 02:36 PM

To: Dnthlynn@aol.com

cc:

Subject: Re: Attn: city council members 

Dear Beth Thacker: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy Grammer
City Council Office
555 S. 10th Street
Lincoln, NE 68508
Phone: 402-441-6867
Fax: 402-441-6533

Dnthlynn@aol.com



Dnthlynn@aol.com

08/10/2004 06:41 AM

To: council@ci.lincoln.ne.us

cc:

Subject: Attn: city council members

Please find attached a copy of the GPTN press release from Friday's press conference. We're hoping for some concessions from the city council re. the Parks and Rec budget revisions.

Thank you for your consideration.

Beth Thacker, President
Great Plains Trails Network



press rel-news conf8-5.doc

CITY COUNCIL
OFFICE

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AUG 10 2004
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OFFICE

Date: August 6, 2004

For More Information Contact: Beth Thacker, GPTN President, 483-0514 or dnthlynn@aol.com

TRAILS ADVOCATES SPEAK OUT AGAINST COUNCIL'S BUDGET REVISIONS
Public Hearing Set for Monday, Aug. 9

Trails advocates today voiced strong concerns about the Lincoln City Council's budget revisions and the impact on the city's trails' system, future trails projects and the city Parks and Recreation Department.

"We stand together, united as citizen volunteers in our community, to urge the City Council members to restore the Mayor's original budget proposal," said Beth Thacker, president of the Great Plains Trails Network, a 15-year-old organization of more than 1,000 Lincoln member families.

"We believe that the Mayor's original budget proposal presents a more balanced approach to the budget, in which all departments share the burden of overall reductions. The revised proposal, now on the table, takes direct aim at the Lincoln Parks and Recreation Department, and eliminates \$203,000 from its operating budget and \$644,000 from its Capital Improvement Program (CIP) for a total overall reduction of \$847,000. With the exception of the Public Works and Utilities Department, other Departments' budgets were generally reduced by less than \$20,000," she said.

"While we all understand the need to 'tighten our belts', this is a dramatic and unnecessary hit to one department that will severely impact the quality of life for all of our citizens," she said.

Thacker said that many trails in Lincoln are constructed with the help from Federal Transportation Enhancement Program funds, made possible each year through the federal gas tax. To date, the city parks and recreation department estimates that Lincoln has received more than \$2 million in federal enhancement funds for trails such as the Bison Trail that leads to Pioneer's Park. These trail projects serve as transportation corridors and trail connections throughout Lincoln.

"One of the conditions of this program is that the City agrees to ongoing maintenance of new trails built with enhancement funds. As part of the application process, the City Council has to approve a resolution agreeing to provide for maintenance of new trails, which it has done many times. Eliminating maintenance funding, as proposed in the revised budget, places Lincoln at great risk for securing future funds for trail projects," Thacker said.

The Great Plains Trails Network also expressed concerns that the City Council, in its revised proposal, moved maintenance costs for parks and trails from the General Operating Budget and placed them into the Proposed Sidewalks, Roads and Trails Bond Issue, that will come before voters this fall.

"Our organization believes that bonds are to be issued only when it becomes necessary to build and/or rehabilitate capital projects that are not included in the routine budget process. We firmly believe that routine general parks and trails maintenance issues should not be dependent upon the passage of a bond," Thacker said.

"The Great Plains Trails Network encourages the Lincoln City Council to take a serious look at our concerns and their impact on our trails system, which ranks as one of the best per capita of comparable cities across the country. We strongly advise you to reconsider the Mayor's first proposal as one that best serves the needs of all of our citizens," Thacker said.

Also making statements in support of reinstating the Mayor's original budget proposal were Bob Ripley, President of the Lincoln Parks and Recreation Advisory Board and Mary Arth of the Lincoln Parks and Recreation Foundation.

Arth said the Lincoln Parks and Recreation Foundation was formed in 1993 to accept tax-deductible

donations from citizens who want to support Lincoln's parks system.

"We are here to support special projects for the parks system, like the Sunken Gardens renovation, and not to raise private dollars for the parks' ongoing programs, maintenance or staff. This should be the taxpayers' obligation," Arth said.

The Great Plains Trails Network (GPTN) was established in 1989 to help support the bond issue that developed the city's Rock Island and MoPac Trails. Through the years, GPTN has worked closely with Lincoln's citizenry and the city's administration to leverage more than \$1.5 million in private donations to build nearly 100 miles of trails.

###

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JUN 1 2004
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Joan V Ray

08/10/2004 02:40 PM

To: Dnthlynn@aol.com

cc:

Subject: Re: Attn: all council members, re SRT bond issue 

Dear Beth Thacker: Your message has been received in the Council Office and will be forwarded to the Council Members. Thank you for your input on this issue.

Tammy Grammer
City Council Office
555 S. 10th Street
Lincoln, NE 68508
Phone: 402-4416867
Fax: 402-441-6533

Dnthlynn@aol.com



Dnthlynn@aol.com

08/10/2004 09:29 AM

To: council@ci.lincoln.ne.us

cc:

Subject: Attn: all council members, re SRT bond issue

Dear Council members,

Please find attached a document regarding the GPTN Board's unanimous endorsement of the Bond Issue recommendations submitted to you by the Pedestrian/Bicycle Advisory Board on July 29th regarding the trails portion of the proposed SRT bond. We would lend our full support to a bond that addressed these items.

Respectfully submitted,

Beth Thacker, President



Great Plains Trails Network CityCouncil strt.doc

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CITY OF LINCOLN
AUG 11 2004

"The City of Lincoln has developed a very good multi-use path system over the past several decades serving pedestrians, bicyclists, runners, and other users. Having such an existing system is a strength our community must build off of in order to improve the pedestrian and bicycle system in the future. However, a lack of adequate funding for path rehabilitation, general maintenance, new path construction, and needed grade separations threatens the viability of our existing path system as well as our ability to expand the system as the community grows in the future." This is a quote from the draft of the Multi-Modal Transportation Study commissioned last year, the purpose of which was to develop a plan for a pedestrian and bicycle system in Lincoln that is truly multi-modal in nature.

The following comments are addressed to the recommendations made to you by the Pedestrian/Bicycle Advisory Board that you received on or around the 29th of July as regards items identified in the proposed bond issue. The Board of Directors of the Great Plains Trails Network would like to go on record as supporting the PBAC recommendations.

The comments will fall under 2 categories: First, the items that PBAC recommended be included in the bond issue; and second, those items that they recommended for removal. This document goes into more detail as to why certain items should/should not be included in the bond issue.

- 1 The North 27th & X St pedestrian/bicycle bridge, a crucial link in the Husker Link Trail, has been needed for years. It would span an intersection that has over 40,000 vehicles per day pass through it and yet is also a heavily-used crossing for pedestrians. This is a dangerous situation. To quote from the Multi-modal transportation report: "There are numerous planned but un-built grade separations along both the planned and existing path system. They are identified in the Comprehensive Plan... They can cost well over \$1 million, especially if the project involves a completely new bridge structure that spans a multi-lane roadway. Such challenges that come with estimating these costs do not alter the fact that funding for these structures is needed in order to build and complete the type of path system that our community needs and deserves." This project, which will cost in excess of \$1 million dollars, is included in both the PBAC's and the City Council's suggested projects for the bond issue.
- 2 Item number 2 is the rehabilitation of the Billy Wolff Trail, which parallels Normal Blvd and is one of Lincoln's more heavily-used and visible trails. It was built in the late 70's as a demonstration project when Helen Boosalis was Mayor. It has 2 underpasses—one at 27th and one at A St—and neither of these underpasses meet ADA standards. In addition, its surface is narrow, and rough and dangerous in some areas. The PBAC has recognized for some time that this trail is in need of major rehabilitation. Again, to quote from the MM report, "In addition, many miles of path are in need of major rehabilitative work, or even replacement, as are existing grade separations along the system. Such major rehabilitative work has not been adequately funded in the past. A \$4 million backlog of immediate needs exists." This is a priority project both from PBAC and the Multi-modal report.

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- 3 Along with the Billy Wolff rehabilitation, there is also \$500,000 included that would provide for other less major—but no less important—trail rehabilitation projects. There are several pieces of our trails system which are in need of immediate rehabilitation, including the Superior St Trail, the Tierra Park Connector, the Murdock Trail and the Highway 2 Trail. This is just a small piece of the \$4 million dollar total identified in the Multi-modal study.
- 4 Lastly, the Calvert to J St section of the Jamaica North Trail, when completed, will finally bring trail connections to one of Lincoln's most diverse and needy neighborhoods. This is major goal of our Comprehensive Plan. For this reason we are recommending it be bumped up the trail priority list. This is a neighborhood, close to downtown, which, if it had an adequate corridor, could use it to commute to work and/or school by bicycle or otherwise. If this project has to wait on routine timing, this neighborhood, which has for so long been controlled by railroad tracks, will have to live with an undeveloped corridor for several years. Therefore, the GPTN and the PBAC recommends that it be included in the bond issue.

We will address our comments now to those items that PBAC recommended NOT be included in the bond issue.

First, while GPTN recognizes the need for downtown Lincoln to be more bicycle-friendly, and has put considerable thought into making those downtown connections, we concur with PBAC that the decision to have, and the plan for implementation of, bicycle lanes at this time, is not in place. We believe that any expenditure towards that end should be deferred until that decision to have bike lanes is made and a specific plan is in hand.

Secondly, we object to the Phase II Antelope Valley trail being placed in a bond issue, but instead recommend that it remain in the CIP and be funded by General Revenue next year. City officials, going back 3 Mayoral terms, made a pledge to citizens to keep funding for Antelope Valley in the General Operating Budget. By placing it in the bond issue would be a betrayal of that pledge.

The Great Plains Trails Network was founded, essentially, to support the planning and implementation of a Master Plan for Trails. It has campaigned hard for previous bond issues, and has worked diligently to raise funds to support the system, raising between 1.5 and \$2.0 million dollars for trails in this area. GPTN is committed to being a partner in this effort.

However, it is hesitant to support projects that are not the result of a consistent planning process and are not deemed appropriate for such a bond issue.

Therefore, our Board of Directors asks that you adopt the recommendations as put forth by the Pedestrian/Bicycle Advisory Committee.

Thank you.

COPY

CONGRESS U.S.
HOUSE OF REPRESENTATIVE
HON. CHARLES T HAGEL
294 FEDERAL BLDG.
LINCOLN, NEBRASKA 68506

RECEIVED
AUG 10 2004
CITY COUNCIL
OFFICE

DEAR SIR,

I am writing to you in regard the way the AUTO SALVAGE YARDS
Are making our neighbor hood look so bad by having, old junk cars in view where they
are to have a tall closed in fence, so we do not have to look at them.

I live at 1436 south second street Lincoln, Nebraska, and there Is the AECONOMY
NSELF STORAGE BUSINESS AT 1440 SOUTH SECOND SREET on the south side
of my home and I am very upset about the way the owner of the storage business it has
been there for years and I have and I have no complaints about this place until now.

AECONOMY SELF STORAGE 1440 South Street Lincoln Nebraska 68502, has been
bring in junk cars in the to the storage business parking them along the chain fence.
These cars are a sore to my property.

Some of the cars have no doors, no motors, some just a shells of the cars. SO I went to
the bldg. and safety office to what I can do about this matter. At that time I left because
there was on one I could talk to about this matter. Then I called the bldg. and safety office
441-7521 and talk to the office and a man came out to look at the storage place and told
me that had to be cleaned up. NOTHING WAS DONE my sister and I went to the bldg.
and safety office to see what would tell this time, this time we meet with another man,
this man told us that this owner of the storage business could also park the junk in their.
Also told us the owner and to put up a fence. I don't under stand the city ordence ALL
AOUTO SALAGE YEARDS must have a high closed in fence. Witch there is one
business on third and Garfield street and the city rode that man got a fence up. Like
Like Rick's 1511 south second street Lincoln, Nebraska 68202, this man has cars on the
street and on the city property. Never nothing done about it and there has been complaints
turn in. Another one is KENDLE'S AUTO SALAVGE & SALES 100 WEST SUMNER
STREET.
477-9702.

This business has cars parked that where not in a fence also parked on the city property
along first street. And complaints going in never nothing done about it.
Our neighbor used to look good, but now it looks really bad.
Ti is bad enough the fire department took over our city park by hauling junk in the park,
loads of broken up concrete with just a chain fence.
Old box cars, why can't this been put at HOLMES PARK, SEACREST PARK, Our
Neighbor hood has been that way over the years. All I ask is for the city to do their job in

making the auto salvage hide the tore up cars behind the closed in fence first street was looking nice after the paved street but the auto salvage yard of Kendle's is a eye sore to our neighbor hood please help and get us get our neighbor hood cleaned up. I can not look out my window without seeing junk cars in my view.

SINCERELY YOURS

THANK YOU

Beverly Sapp
1436 So 2nd
city 62502-438-1017

If we are so short of money on school etc.

How come the Mayor gave the city
counsel Double wages?

Rich get Richer & the poor get poorer

want the answer

Beverly Sapp



Joan V Ray

08/11/2004 09:55 AM

To: "Karin and Eric" <karinanderic9397@earthlink.net>
cc: <council@ci.lincoln.ne.us>, <mayor@ci.lincoln.ne.us>
Subject: Re: Lux booster bus routes

Dear Ms. Fuog: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray
City Council Office
555 South 10th Street
Lincoln, NE - 68508
Phone: 402-441-6866
Fax: 402-441-6533
e-mail: jray@ci.lincoln.ne.us

"Karin and Eric" <karinanderic9397@earthlink.net>



"Karin and Eric"
<karinanderic9397@earthlink.net>

08/10/2004 09:08 PM

To: <council@ci.lincoln.ne.us>, <mayor@ci.lincoln.ne.us>
cc:
Subject: Lux booster bus routes

RECEIVED
AUG 11 2004
CITY COUNCIL
OFFICE

Dear Council Members and Mayor:

Thank you very much for your attention during public hearing on the city of Lincoln budget last night. I appreciate the opportunity to address you directly.

I wanted to follow up with a letter and reiterate my request that the \$17,000 for two booster bus routes from Lux Middle School to neighborhoods south and east of the school be reinstated in the city budget.

By its very name and nature, public transportation should be available to everyone. The opportunity to use public transportation should not be based on income or other considerations. The proposed Lux booster routes D and E service an area of Lincoln that currently has no bus routes at all. Those of us who would use these buses will not do so for free; we will help defray the cost of these routes by paying bus fares, in the same way that all other bus routes' expenses are defrayed.

If public transportation is to live up to its name, it should be designed for maximum coverage of the city, to garner revenue from all neighborhoods and sectors of the population. Please do not make bus use a mark of wealth or the lack thereof. Provide a public transport system that serves all of the city of Lincoln.

Sincerely,

Karin Fuog
9200 Foxen Circle
486.0386

Office

**PEDESTRIAN / BICYCLE ADVISORY
COMMITTEE**

2740 "A"

**RECEIVED
AUG 11 2004
CITY COUNCIL
OFFICE**

LINCOLN, NEBRASKA 68502

August 10, 2004

Mayor Coleen J. Seng
555 So. 10th St., Suite 208
Lincoln, NE 68508

Dear Mayor:

On behalf of the Pedestrian/Bicycle Advisory Committee, I would like to thank you for all of your efforts to provide a balanced budget this year.

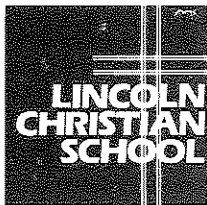
We know there have been several changes to the budget and we would like to once again endorse the letter we sent to you and the City Council on July 29, 2004 regarding the Bond Issue and our priorities for those expenditures. We also think it is important to let you and the City Council know that we support your revised budget that was presented at the City Council meeting on Monday, August 9, 2004 and that our concerns have been addressed.

Sincerely,



Dalyce Ronnau, Chairman
Pedestrian/Bicycle Advisory Committee

Cc: City Council



5801 South 84th Street
Lincoln, NE 68516
(402) 488-8888
Fax (402) 486-4LCS
www.lcs.k12.ne.us

Levi H. Kroeker
Elementary Principal
Ext. 1

Mark T. Wilson
Secondary Principal
Ext. 2

David J. Pauli
Secondary Asst. Principal
Ext. 2

Peter L. Schroeder
Director of Development
Ext. 3

*Learning about God's world,
in the light of God's Word.*

August 10, 2004

Lincoln City Council
555 South 10th St.
Room #111
Lincoln, NE 68508

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AUG 11 2004
CITY COUNCIL
OFFICE

Dear City Council Members,

The 84th Street improvement project is exciting as we envision the future and excruciating as we endure the construction process. As a school, we are concentrating on the future.

I am writing to request your help and support for a stop light at the future entrance to Lincoln Christian School on 84th Street. This will be a serious safety issue that needs to be addressed proactively. Hundreds of vehicles turn into and out of the Lincoln Christian School parking lot on 84th Street every day. The drivers and occupants of these vehicles are elementary students, teen drivers, parents, teachers, staff, administration, grandparents and visitors of all ages. The busiest time is during the morning rush-hour traffic. With 84th Street's improvement to four or more lanes and the resulting change of the entrance location to the south, we must have a stop light to ensure the safety of those coming to and going from our school. Now is the time to make sure that the stop light is included in the overall plan. It will be more efficient and cost-effective to put the stop light in the plan now than to install it after the street has been widened and the concrete poured.

Secondly, I would also like to request a school zone speed limit be put into place for Lincoln Christian School on both 84th Street and Old Cheney. There are many examples throughout the city of similar school situations where a light and/or school speed zones are enforced. This is an important matter of safety for both children and parents.

Thank you for your consideration and support of this matter. I trust that you will find that these ongoing safety issues override the one-time monetary considerations. I hope you will agree that a light will help insure against any grave safety incident happening at that intersection. I would be delighted to discuss these matters with you at your convenience.

Sincerely,



Mark Wilson

Dr. Loy Watley, Lincoln Christian School Board President
Mr. Mark Wilson, Lincoln Christian School Superintendent

Cc: Mayor Coleen Seng, Roger Figard, city engineer



Joan V Ray

08/11/2004 10:10 AM

To: swest@lps.org

cc: council@ci.lincoln.ne.us, campjon@aol.com, amcroy@ci.lincoln.ne.us
Subject: Re: Proposed budget

Dear Ms. West: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

swest@lps.org



swest@lps.org

08/11/2004 08:52 AM

To: council@ci.lincoln.ne.us

cc: campjon@aol.com, amcroy@ci.lincoln.ne.us
Subject: Proposed budget

Dear Council members,

I wish to thank you for the three new proposed fire fighter positions. My husband is a firefighter and I find it personally troubling to know that Lincoln is currently in excess of 30 positions short of NFPA standards. (Not to mention the fire stations)

The safety implications of being this short staffed are obvious. Thank you for taking steps to correct this, but I hope you will reconsider Terry Werner's original proposal of 6 new staff members.

The firefighters I know wish to serve the citizens of this community the best way they can. They are not afraid of hard work, nor to put their life on the line when duty calls; but they should not be asked to continually work below safety standards to save the city money. Please consider changing the 3 positions back to the original 6.

Thanks you,

Sherry West

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AUG 11 2004
CITY COUNCIL
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Joan V Ray

08/11/2004 10:07 AM

To: Rauav@aol.com

cc: council@ci.lincoln.ne.us, mayor@ci.lincoln.ne.us, Rauav@aol.com

Subject: Re: Lux Booster Bus Routes

Dear Dr. Rau and Dr. Subramanian: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

Rauav@aol.com

RECEIVED
AUG 11 2004
CITY COUNCIL
OFFICE



Rauav@aol.com

08/11/2004 09:47 AM

To: council@ci.lincoln.ne.us, mayor@ci.lincoln.ne.us

cc: Rauav@aol.com

Subject: Lux Booster Bus Routes

August 11, 2004

Hon'ble Members of the Lincoln City Council and Hon'ble Mayor:

I am writing in support of the Lux Booster Bus Route. My wife and I request that the funding for the proposed bus routes may please be reinstated. We request on behalf of our son who will be attending Lux Middle School this year, and I am sure many more parents from this part of town would concur.

I had the opportunity to listen to the public response on Monday evening (August 9th). A common theme that I heard was on transportation issue - various aspects of the issue, from different segments of the PUBLIC. I also heard Mrs. Karin Fuog's eloquent address to you and I supported the views she articulated.

The present request is important in several ways.

(a) It is a request for an **enabling mode of transport** for our child and other children like him who shall be attending Lux, some for the first time this academic year and some others who are already doing so. In the years to come, there will be more who will avail of this mode of transport when it indeed becomes available.

Simply put: The students who shall be attending Lux Middle School are too young to drive, and walking to school is not feasible (My son walked to Maxey Elementary as it was feasible). The only option is for parents to drop them at school, a task/chore that we gladly do.

However, the school timing/schedule, especially the ending time is particularly inconvenient for many parents. Car pooling is another option that is exercised, but one that may not be suitable or available to every one.

Therefore, the availability of public transport would immensely alleviate this problem for us and for the many who live in this part of Lincoln.

(b) As Karin referred to in her address, there are safety and congestion issues involved at these schools. More the number of vehicles, the higher the probability of occurrence of safety events. These may be considered positive side benefits.

Further, in general, given the option we, as a family, prefer riding a bus when/where available. During our residence in Seattle, we routinely rode the bus to Downtown. Some day, we hope we can do the same here in Lincoln... especially to the Farmer's market on Saturdays in the months they exist.

In closing we wish to thank all of you for all the good work you do and for your public service. We also wish to thank The Mayor for including the bus proposal in the budget.

We hope you will reinstate the funding and provide the StarTran routes to Lux Middle School from the South/SouthEast Neighborhoods.

Thanking you,
Sincerely,
Anand V. Rau, Ph.D.
Anu Subramanian, Ph.D.
5510 South 77th Street
Lincoln, NE 68516
(402)327-2047



"Don Tilley"
<director@peacepark.
us>

08/10/2004 07:19 PM

To: <marjmanglitz@yahoo.com>, <cawindrum@yahoo.com>,
<BCoffey123@aol.com>, <council@ci.lincoln.ne.us>,
<DSAllntl@aol.com>, <dymers@inetnebr.com>,
<jbarbschmidt@juno.com>, <jgoble@inebraska.com>,
<mark@weddeleton.com>, <jyoung@journalstar.com>,
<TIWag@msn.com>, <joshua_cramer@hotmail.com>

cc:

Subject: Wall of Remembrance coming to Lincoln

The Coalition for Peace will be sponsoring the Wall of Remembrance the last of August through early part of September. Phil will transport & possibly store it in his large van. Faye is lining up sites. Don is taking responsibility for its care and overall coordination. Share your ideas for its use while in Lincoln. Josh or Becca, will you please send this to e mail to all members of the peace coalition. Thanks.

By this wall we remember and honor our soldiers who lost their lives in Iraq.

On March 21, 2003, the first day of invasion,
six young Marines lost their lives.

We do not know when the last life will be lost, nor who that person will be.

We believe the deaths of these young men and women need to be acknowledged and mourned, not just by their loved ones

Incidentally, the last American death will be the one just before the government was turned over to the Iraqis.
(this is the narrative on the exhibit)

from Don Tilley

RECEIVED
AUG 11 2004
CITY COUNCIL
OFFICE



Joan V Ray

08/12/2004 08:49 AM

To: "Fuog, Karin" <Karin.Fuog@nelnet.net>

cc: "council@ci.lincoln.ne.us" <council@ci.lincoln.ne.us>,

"mayor@ci.lincoln.ne.us" <mayor@ci.lincoln.ne.us>

Subject: Re: Lux Booster Bus Routes

Dear Ms. Fuog: Your message has been received in the Council Office and will be forwarded to the Council Members for their review. It certainly is a pleasure to hear of a young person taking an active interest in our governmental processes - especially with everyone's hard work resulting in a happy ending! Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Fuog, Karin" <Karin.Fuog@nelnet.net>

RECEIVED
AUG 12 2004
CITY COUNCIL
OFFICE



"Fuog, Karin"

<Karin.Fuog@nelnet.net>

et>

08/12/2004 08:38 AM

To: "council@ci.lincoln.ne.us" <council@ci.lincoln.ne.us>,

"mayor@ci.lincoln.ne.us" <mayor@ci.lincoln.ne.us>

cc:

Subject: Lux Booster Bus Routes

Honorable Mayor and City Council Members:

Thank you very much for reinstating the Lux Middle School booster bus routes in the city budget. I have been struggling with alternatives, all of which would negatively impact either my employment or my family's quality of life. It is with a big smile that I will be purchasing bus passes for my son at Lux's open house. He has been following the budget procedure with me and is very excited to be riding the bus home from school. How often does one get either of those reactions from an eleven year-old?

I know these bus routes will be a great boon to the working parents in the neighborhoods they service, and I believe they will positively impact not only these neighborhoods but the city of Lincoln as a whole.

Thank you for making StarTran a public transit system and for listening to the parents in our community.

Karin Fuog
402.458.3031
Nelnet

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AUG 12 2004
CITY COUNCIL
OFFICE

ROSE ANN DOWTY
3414 Cape Charles Road West
Lincoln, Nebraska, 68516

Home Phone (402) 421-8488
Fax (402) 421-8503
E-Mail dowty@inetnebr.com

TO: All City Council Members
FAX # 441-6533
DATE: 8/12/04

FROM: Cape Charles Square Corp. (Members of Williamsburg Home Owners Assn.)


A TOTAL OF 1 PAGES, INCLUDING THIS COVER SHEET, ARE
BEING SENT TO YOU. If you did not receive all of the pages, or the transmission
is not clear, please call 402-421-8488.

Message: Please give a copy to each Council member

RECEIVED
AUG 12 2004
CITY COUNCIL
OFFICE

Cape Charles Square Corporation

3410 Cape Charles Road West, Lincoln, NE 68516-5446

To: Alan Abbott, Director of Public Works, City of Lincoln 
From: David L. Swartz, President, Cape Charles Square Homeowners' Association
Date: Thursday, August 12, 2004
Re: Williamsburg Village Lake Dredging
Cc: Mayor Coleen Seng
City of Lincoln City Council
Jon Jackson, President, Williamsburg Village Homeowners' Association

The purpose of this memo is to officially notify you of actions taken by the Cape Charles Square Board of Directors regarding the dredging of the north lake located in Williamsburg Village.

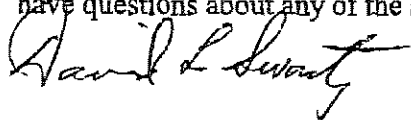
The Cape Charles Square Board of Directors has voted unanimously directing me to contact officials of the City of Lincoln and urge them to maintain their original commitment to restore the north lake to its original silt storage capacity. At this point in time, they are half way to accomplishing this directive. **There needs to be immediate attention to this situation and time is crucial.** The uncertainty regarding completion of the lake dredging project has caused great problems with the shoreline stabilization phase that must be coordinated with the dredging project.

I am aware of two documents that reference the commitment of the City of Lincoln to restoring the north lake to its original condition by the end of the year 2002:

One document is a letter dated December 26, 1997 from Roger Figard, City Engineer, to Robert Hampton in care of the Williamsburg Village Residential Homeowners Association. The opening paragraph of the letter states, "The Public Works Department has reviewed the condition of the detention pond south of Browning Street as you requested. **We recognize that the City is responsible for maintaining this pond to the year 2002 and turning it over to the association in good condition.**" (Emphasis added)

The second document references Resolution No. A-73615 of the Williamsburg P.U.D. which indicates that the City of Lincoln entered into a contract in which condition 5.2.6 calls for the City to remove the silt from the north lake before or at the term of ten years. Our understanding is that the 10-year term ended during the year 2002 and was extended to the present time. The City remains responsible for removing all the silt from the lake and restoring the lake to its original condition.

I believe the actions taken by our Board of Directors indicate our concern for the urgency of this matter and the two documents referenced above provide clear direction as to how this issue should be resolved. Please contact me (phone 421-2116) or Joe Hampton (420-2187) should you have questions about any of the above.



**ADDENDUM
TO
DIRECTORS' AGENDA
MONDAY, AUGUST 16, 2004**

I. MAYOR

1. NEWS ADVISORY - RE: 5 City-TV To Re-Air Show Featuring Ted Kooser - (See Release)
2. NEWS RELEASE - RE: Public Invited To Open House On North 14th Street Project - (See Release)

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

GLENN FRIENDT

1. Memo & attachment from Glenn Friendt - RE: Lincoln Arts Council audit letter - (See Material)

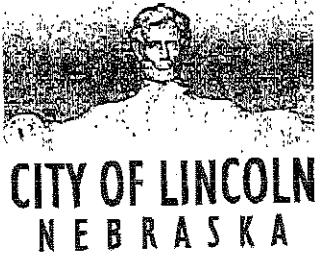
JON CAMP

1. E-Mail from Troy Henggeler to Jon Camp - RE: Pioneers street improvement project - (See E-Mail)

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS

1. E-Mail from Stan Kuta - RE: Use Permit No. 04002 - Item #13, on the Agenda for 8/16/04 - (See E-Mail)
2. E-Mail written by Joan Ray for Ms. Gail Hiskey - RE: Use Permit 04002 - #13 on 8/16/04 Agenda - Opposed - (See E-Mail)
3. E-Mail from Bruce Meyer - RE: Deny use permit #04002 - (See E-Mail)



NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

Citizen Information Center, 555 South 10th Street, Lincoln, NE 68508, 441-7375, fax 441-7120

FOR IMMEDIATE RELEASE: August 13, 2004

FOR MORE INFORMATION: Diane Gonzolas, Citizen Information Center, 441-7831

5 CITY-TV TO RE-AIR SHOW FEATURING TED KOOSER

A program featuring Nebraska poet Ted Kooser will be re-aired five times on the City's government access channel, 5 CITY-TV (cable channel 5). Kooser was named this week as U.S. Poet Laureate by the Library of Congress.

The hour-long show was taped about two years ago as part of the John H. Ames Reading Series, "Beyond Books Special Edition." The program also features poets Twyla Hansen, Marge Saiser and Roy Scheele. It will air at these times:

- Saturday, August 14 at noon
- Sunday, August 15 at 3 p.m. and 6:30 p.m.
- Monday, August 16 at 10 a.m. and 5:30 p.m.

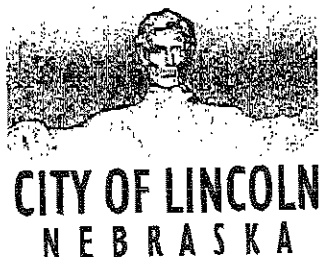
The John H. Ames Reading Series is taped at the Jane Pope Geske Heritage Room of Nebraska Authors in the Bennett Martin Public Library in Lincoln. The program is produced by 5 CITY-TV for the Lincoln City Libraries. Anyone with programming questions or viewer comments is urged to call the 5 CITY-TV feed back line at 441-6688.

- 30 -

RECEIVED

AUG 13 2004

CITY COUNCIL
OFFICE



NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

PUBLIC WORKS AND UTILITIES DEPARTMENT

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

RECEIVED

FOR IMMEDIATE RELEASE: August 13, 2004

FOR MORE INFORMATION: Kent Evans, Engineering Services, 441-7583

AUG 13 2004

CITY COUNCIL
OFFICE

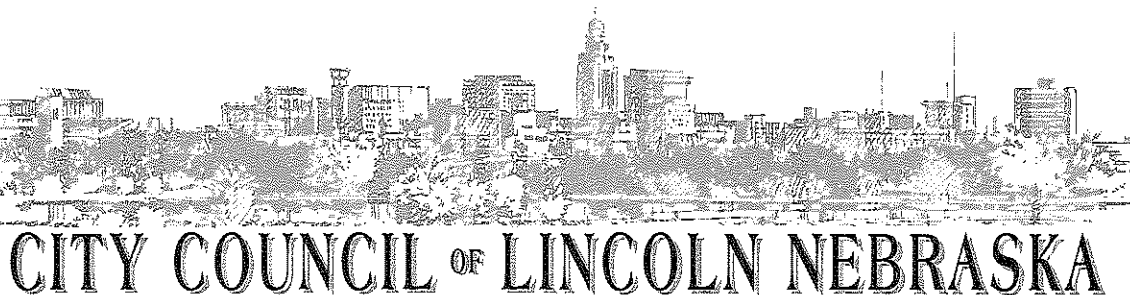
PUBLIC INVITED TO OPEN HOUSE ON NORTH 14TH STREET PROJECT

The public is invited to an open house on improvements to North 14th Street from 5:30 to 7:30 p.m. Tuesday, August 17 at Goodrich Middle School, 4600 Lewis Avenue. Design work is under way on the project, which will widen North 14th to four lanes from Superior Street to Alvo Road to accommodate growth in the area. Improvements are also planned for the intersection of North 14th and Superior.

At the open house, citizens will have the opportunity to meet with project team members, learn more about the project and give feedback. Formal presentations providing an overview and update of the project will start at 5:45 p.m. and 6:45 p.m.

Those with questions on the project can contact Kent Evans (441-7583) with the City Public Works and Utilities Department or Duane Eitel (458-5000) or Jon Olsen (458-5614) with Olsson Associates.

Additional information is available on the City Web site at lincoln.ne.gov and on the project Web site at www.oaprojects.com/north14th.



CITY COUNCIL OF LINCOLN NEBRASKA

555 South 10th Street • Lincoln, NE 68508 • 402-441-7515

FAX: 402-441-6533 • E-MAIL: council@ci.lincoln.ne.us

GLENN FRIENDT
City Council Member At Large

RECEIVED

AUG 13 2004

CITY COUNCIL
OFFICE

MEMORANDUM

DATE: August 13, 2004

TO: Mayor Coleen Seng
Lincoln City Council
Lincoln Arts Council, Board Chair
Lincoln Arts Council, Executive Director

FROM: Glenn Friendt

RE: Lincoln Arts Council audit letter

I am providing to you a copy of a letter I received anonymously at my home regarding the Lincoln Arts Council. The letter was accompanied with a note warning the city to watch its money going to the Lincoln Arts Council.

Since I received this in my capacity as an elected official and this is a public document regarding an agency receiving tax dollars I am providing it to you and making it part of the public record.

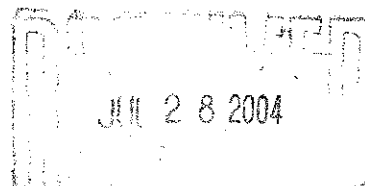
As we have learned so painfully in the last few years, conditions described in this letter need immediate attention. As a community we care about the arts and the Lincoln Arts Council.

Attachment: Lincoln Arts Council audit letter



GRAFTON & ASSOCIATES, P.C.

8101 "O" Street • Suite 200 • Lincoln, NE 68510 • Bus. (402) 486-3600 • FAX (402) 486-3664 • E-mail: mail@geacpa.com



To the Board of Directors and Management
Lincoln Arts Council

In planning and performing our audit of the financial statements of Lincoln Arts Council (the Organization) for the year ended August 31, 2003, we considered its internal control in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on internal control. However, we noted certain matters involving control and its operation that we consider to be reportable conditions under standards established by the American Institute of Certified Public Accountants. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of internal control that, in our judgment, could adversely affect Lincoln Arts Council's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statements.

Statement on Auditing Standards No. 99 (SAS No. 99)

In response to the Enron and WorldCom accounting and auditing failures, the American Institute of Certified Public Accountants instituted SAS No. 99 effective for financial statement periods beginning in 2003. Along with major changes and additions in auditing procedures, the standard imposes additional responsibilities on the auditee's management to prevent and detect fraud. We recommend management to analyze SAS No. 99 and design and implement controls to comply with the standard.

Segregation of Duties

Typical of entities with limited number of staff, the Organization does not have adequate segregation of duties as to:

- Incoming mail and cash receipts
- Disbursement and payroll check custody before mailing/distribution
- Cash disbursements and purchases
- Bank reconciliations and cash receipts and disbursements
- General ledger and subsidiary ledger functions

The Board and management should be cognizant of these issues in performing their review and oversight responsibilities to the Organization.

Cash

Cash internal control could be improved by the following:

- Daily bank deposit of checks and cash received.
- Utilization of prenumbered receipts for cash received and a record of the daily amounts received totaled and initialed by two employees.

JUL 28 2004

- For cash collected at special events, reconciliation of cash received to tickets sold and accounting for all unsold tickets.
- Obtain and review canceled disbursement checks for proper number, date, payee, endorsement, authorized signature, alterations, etc.
- Regular review of bank reconciliations by the Board treasurer for proper preparation, timely clearing of reconciling items, etc. and initialing and dating the reconciliation to document the review performed.
- Fidelity bonding of employees with cash handling responsibilities.

Information Systems

Internal control over information systems could be improved by the following:

- Regular changing of passwords for all users (typically 90 days.)
- Development and testing of contingency plans for alternative processing in the event of loss or interruption of the information system function includes rotation of computer file backups offsite for availability in the event of a disaster.

Employee Vacations

To improve basic internal control, during employee vacations other staff should perform the vacationing employee's accounting/record keeping functions while the employee is absent.

Board Minutes

As in the prior year, we recommend the minutes of the meetings of the Board of Directors should be signed by the secretary to serve as an official document of the Board's policy and decision making and approvals.

Executive Committee Minutes

The Organization has not kept minutes of the meetings of the executive committee. It is standard business practice to have the executive committee minutes prepared for these meetings and reviewed approved by the full Board. All minutes should be kept in a secure fireproof location since they are an important part of the Organization's records, which should be kept permanently.

Disbursement and Payroll Procedures

During the course of our audit, we noted that there were a number of errors in recording checks and deposits in the general ledger. These included duplicate check numbers, numerous voided checks for duplicate payments on disbursements, checks voided or not recorded but yet cleared and payrolls prepared and issued several days before or after scheduled pay periods. The Organization does not appear to have standardized disbursement and payroll processes in place to prevent these types of issues. We recommend that adequate disbursement and payroll procedures be formulated, documented and fully implemented by management.

JUL 28 2004

Office Filing Procedures

During the course of our audit, we noted that management had difficulty finding articles of incorporation, grant documents, supporting check details, and other information. This was due to turnover in a relevant staff position. We recommend that management standardize the filing processes so when turnover does occur, management can still find basic documentation.

This report is intended solely for the information and use of the Board of Directors, management, and others within the Organization and is not intended to be and should not be used by anyone other than these specified parties.

Depto of Unocuate, P.C.

December 12, 2003



CAMPJON@aol.com

08/13/2004 06:21 PM

To: jray@ci.lincoln.ne.us (City Council), dpodany@ci.lincoln.ne.us
cc:
Subject: Fwd: Pioneers street improvement project

--

Jon Camp
Lincoln City Council
City Council Office: 441-8793
Constituent representative: Darrell Podany

----- Message from THengg@aol.com on Thu, 12 Aug 2004 16:38:34 EDT -----

To: jcamp@ci.lincoln.ne.us

Subject Pioneers street improvment
: project

Jon, my name is Troy Henggeler and I live at 3920 S. 78th St. I read about the plan for the improvement of Pioneers St. and read that there will be no raised median's on this plan. Last year I went down to Public Works and the plan that they should me did have a median located at the Pioneers and 78th St. intersection. I was all for this due to the heavy amount of traffic that uses 78th to cut through or to go to Lux School. 78th St., in my opinion, seems to have a very high traffic flow for a residential street. The traffic is bad enough, but you know unfortunately this day and age speeding comes with that also. I have some reasons why this might be, which I would be happy to discuss with you. By Having this median on Pioneers it would help in relieving some of the traffic from 78th to other streets in the neighborhood. When a school is located in the middle of a neighborhood there should be certain streets that should be allocated for the traffic for the school, and those streets should be designed and constructed for the higher volume of traffic. Is it possible to put a traffic counter on 78th St. to get the number of vehicle's and is there any city ordinance that comes up with a plan when there is a high volume of traffic on a residential street? I would be very happy to discuss this matter privately with you at your convenience. Thanks for you time on this matter.

Regards, Troy

402-499-2610

RECEIVED
AUG 16 2004
CITY COUNCIL
OFFICE

#8613



Joan V Ray

08/13/2004 09:28 AM

To: Stankutaman@aol.com

cc:

Subject: Re: Use Permit No. 04002

Dear Mr. Kuta: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

Stankutaman@aol.com

RECEIVED
AUG 13 2004
CITY COUNCIL
OFFICE



Stankutaman@aol.com

08/13/2004 01:12 AM

To: council@ci.lincoln.ne.us

cc:

Subject: Use Permit No. 04002

Dear City Council Members:

I probably have no idea how many phone calls, e-mails, nasty letters and decisions You Folks encounter each week, but it is encouraging to know that the average peon-property owner can have a sayso and or at least know Our opinion does get recognized.

Here are a few reasons Our association opposes the townhouse development. When We first met with the developers, we were basically told they would put in apartments if the townhouses weren't accepted. What also agitated us was the builders put advertising signs on the property 3-4 months ago making it appear it was a done deal and collected \$1000 in advanced without owning the property. All of the Houses on 12th and 13th street were designed with all the windows and frontages facing the golf course and with an open view, which the builders used as their selling points, and we were all told there wasn't any plan for the next ten years to build anything on this plot of land.

Our biggest concerns are:

- a. 250 cars or more added to 13th street, with kids trying to cross 13th to go to the swimming pool, plus the noise and congestion.
- b. Our property values plummeting, as will the water pressure which is low now.
- c. The Parochial and Public schools are now at capacity, and the Parochial having to add 2 more classes next year.
- d. The sunsets and open view of the golf course and airport will be gone forever, having to digest the backsides of compressed, low to medium priced townhouses.

At the City Planning Commissioners Meeting it was obvious the builders were seeking a lot of waivers, and never was it mentioned they were putting in a storage area, which would account for several acres of property being used up, which makes the townhouses more congested.

At last, why couldn't this property have been considered for a Junior or Executive Golf course, or a city park which we really don't have, other than the school playground.

All I can hope for is Your decision is made very thoughtfully, as I have to live with IT the rest of my life, and hopefully MY Dreamhome won't end up being like a tree buried in a forrest.

Sincerely,

Stan Kuta 5733 NW 12th



Joan V Ray

08/13/2004 10:38 AM

To: amcroy@lincoln.ne.gov, newman2003@neb.rr.com,
ksvoboda@alltel.net, joncampcc@aol.com, twernerlnk@aol.com,
JCookcc@aol.com, glenn@friendt.com
cc: thiskey@journalstar.com

Subject: Use Permit 04002 - #13 on 08-16-04 Agenda - Opposed

Dear Council Members: Ms. Gail Hiskey, (whose computer was down and she was therefore unable to contact Council Members personally), telephoned Jon Camp who suggested she contact me to forward her message to each Council Member.

Ms. Hiskey lives at 5727 NW 12th Street - right behind the golf course where the Cameron Corp has made application to develop 112 dwelling units and two outlots (O-3 Office Park) - with multiple waivers.

The community, in discussions, agrees that it would be futile to oppose development, but they would hope that Council listen to their concerns as to what development is allowed.

Currently the area schools are at and exceeding capacity. Goodrich students are being bused to the new NorthStar High School facility where they are already using portables to accommodate this influx of students. More family housing in the area can only worsen a situation that is already at emergency solution levels.

The area is Prime Land. Homes there are selling in the \$200-250,000 range. The community would not object to an up-grade of the development. Ms. Hiskey noted that since that land was zoned Commercial when they bought their homes there, the community members would prefer and agree to a Commercial development over the one currently proposed. The increased population in an already over-crowded school situation, the increased traffic, the blighting of the landscape and view -which had been offered as selling points to those who purchased homes in the area- would be detrimental to the community. They would like to see a development go in that would compliment the community and not one that only adds to already existing problem issues.

I'm cc's this message to Mr. Hiskey's e-mail address.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

RECEIVED
AUG 13 2004
CITY COUNCIL
OFFICE

Handwritten signature

Joan V Ray

08/13/2004 01:36 PM

To: <phloyd@earthlink.net>
cc: <council@ci.lincoln.ne.us>
Subject: Re: Deny use permit # 04002

Dear Mr. Meyer: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray
City Council Office
555 South 10th Street
Lincoln, NE - 68508
Phone: 402-441-6866
Fax: 402-441-6533
e-mail: jray@ci.lincoln.ne.us
"Bruce Meyer" <phloyd@earthlink.net>

RECEIVED
AUG 13 2004
CITY COUNCIL
OFFICE



"Bruce Meyer"
<phloyd@earthlink.net>
>

To: <council@ci.lincoln.ne.us>
cc:
Subject: Deny use permit # 04002

08/13/2004 12:56 PM
Please respond to
phloyd

Hello-

I am a homeowner in the West Highlands area of Lincoln. My house is directly across NW 13th street from the site where developers are attempting to get approval to build approximately 112 town homes. I am writing this e-mail to urge you to follow the recommendations of the Lincoln Planning Commission (when they voted 6-1) to recommend denial of the use permit #04002.

This proposed development will have severe negative impacts on our neighborhood. The president of our homeowners association, Gordon Bjorman, summarized our concerns very well for the planning commission. In addition to concerns he expressed regarding increased traffic and children needing to cross NW# 13th street to access the municipal pool, the impact to our already overcrowded neighborhood elementary school, and the sheer density of placing 112 living units on such a small tract of land, I have an additional concern.

I, and many of my neighbors, purchased our homes with the understanding that the land now being considered for high density town homes was zoned such that it would be used for professional offices for doctors, insurance agents, etc. If approved and built, in addition to reducing the quality of life in our neighborhood, this development will reduce the value of my and my neighbor's properties. I do not believe that the financial gains of the developers proposing this project should outweigh the financial losses and reduced quality of life of the homeowners in my neighborhood who will have to suffer the consequences long after the developer has made his profit and moved on to other projects.

I was able to attend the Lincoln Planning Commission Hearing in person to help represent the opposition to this project. I doubt that I will be able to take time from my job to attend the City Council Meeting on Monday so I

am writing this e-mail to ensure that my voice is counted among those who oppose this project.

Please do not allow this project to move ahead.

Thank you for your consideration.

Bruce Meyer
5739 NW 12th Street
Lincoln, NE 68521

**DIRECTORS' MEETING
MINUTES
MONDAY, AUGUST 16, 2004
CONFERENCE ROOM 113**

Council Members Present: Ken Svoboda, Vice-Chair; Jon Camp, Jonathan Cook, Patte Newman, Glenn Friendt, Annette McRoy.

Council Member Absent: Terry Werner, Chair

Others Present: Mark Bowen, Ann Harrell, Lin Quenzer, Mayor's Office; City Clerk, Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Darrell Podany, Aide to Council Members Camp, Friendt, & Svoboda; Tammy Grammer, City Council Staff and Nate Jenkins, Lincoln Journal Star Representative.

I. MAYOR

[Mayor Coleen Seng not present.] Mark Bowen stated to Council the Mayor is at a press conference at the Airport to announce the new direct flights to Detroit and so she'll be back by 11:30 a.m. or 11:45 a.m. Mr. Camp asked what airline? Mr. Bowen replied Northwest Airline expansion to the service, so they're pleased to hear about that and she's out there.

Mr. Bowen stated he's got a couple of things, they probably saw the story yesterday in the newspaper about [inaudible].

Mr. Bowen stated they had a very successful 'Ribfest' event that went on and Diane [Gonzolas] is trying to find out who actually won the contest on ribs.

Mr. Bowen commented to Council that they probably saw the article from the weekend regarding Family Services and Lynn Johnson works with him and asked Lynn [Johnson] to tell them about the change going on there and how it will have an effect on them. Lynn Johnson stated they've done a little bit of checking on it and as they probably know Family Services provides before and after school programs in 23 schools and they also have two of the Community Learning Centers site supervisor. They've talked to them and it seems like all of our programs are a go at this point. They were a little concerned about if they weren't going to have those programs available that they might have to scramble and see if they could put something together. But, the information they have from them indicates that they're a go at this point and they're planning on providing those services approaching.

- *1. NEWS RELEASE - RE: Public Invited To Dedication Of Kontras Park. — NO COMMENTS
- 2. NEWS RELEASE - RE: City Plans Patriot Day Event for September 10th. — NO COMMENTS
- 3. NEWS ADVISORY - RE: Dedication of Kontras Park (10:00 a.m. August 12th at South Cotner Boulevard and Aldrich Road; and Near South Neighborhood Associations' dedication of new park at 19th & "A" Streets (1:00 p.m. August 15th - at 19th & "A" Streets. — NO COMMENTS

II. CITY CLERK

City Clerk Joan Ross stated to Council on their Agenda today under "Public Hearing-Liquor" Items 2, 3, 4 & 5 can be called together because they're all for the Shell Food Mart-Lichti Bros. and same manager. *[Application of Lichti Bros. Oil Co., Inc. dba Shell Food Mart for a Class B liquor license at 1101 Belmont Street; Manager application of Timothy C. Lichti for Lichti Bros. Oil Co., Inc. dba Shell Food Mart at 1101 Belmont Street; Application of Lichti Bros. Oil Co., Inc. dba Shell Food Mart for a Class B liquor license at 6000 Havelock Avenue; and Manager application of Timothy C. Lichti for Lichti Bros. Oil Co., Inc. dba Shell Food Mart at 6000 Havelock Avenue.]*

For Item 20, it is a Public Hearing and what she would do after everything has been stated than during the vote session she would just ask does someone wish to move approval or denial and noted they have two Resolutions for it. Mr. Svoboda stated okay. *[Appeal of Impact Fee Determination on behalf of Berean Fundamental Church of Lincoln, Nebraska, covering Building Permit Application No. B0401352, on property located at 6400 South 70th Street.]*

There is a "Miscellaneous Referral", which is very routine. City Clerk Joan Ross stated to Council that she can get copies for them, if they don't want the paper copy because they're included as part of their 'Action Sheet' later, she can stop photocopying. She asked Council what's their desire, do they want her to keep handing these out to them, she sure can. Mr. Svoboda stated if it's more than routine, he would say hand it to them and if it's just those normal items on there, he doesn't see why. City Clerk Joan Ross noted that they do show up on the 'Action Sheet' once they get it. Mr. Svoboda stated okay.

- *1. Faxed Letter from Bill Whitley, Vincenzo's ristorante brought into Council Office by City Clerk Joan Ross - RE: Effective immediately, please withdraw the application for use of right of way for Vincenzo's Restaurant at 808 "P" Street in Lincoln - Item #13, 04R-187. — NO COMMENTS

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

PATTE NEWMAN

- 1. **OUTSTANDING Request to Ernie Castillo, Wynn Hjermsstad, Marc Wullschleger, Urban Development Department/ Terry Bundy, LES/ Allan Abbott, Public Works & Utilities Director/Mike DeKalb, Marvin Krout, Planning Department/ Lynn Johnson, Parks & Recreation Director - RE: Signs or banners identifying individual neighborhoods - (For Witherbee and Eastridge area) - (RFI#20 - 3/24/04). — 1.) SEE RESPONSE FROM TERRY BUNDY, LES RECEIVED ON RFI#20 - 4/12/04. — 2.) SEE RESPONSE FROM LYNN JOHNSON, PARKS & RECREATION DIRECTOR RECEIVED ON RFI#20 - 8/11/04.** — Ms. Newman stated this item can be removed from the Agenda and she thinks they'll be working with Lynn Johnson on it later.
- 2. Request to Dana Roper, Law Department/Don Herz, Finance Director - RE: Possible future source of funding called a worker tax (RFI#26 - 8/09/04). — NO COMMENTS

TERRY WERNER

- 1. **OUTSTANDING Request to PW /Planning - RE: Inquiry from Jay Petersen on Kajan Drive - Public or Private Roadway, plus Surface Rehabilitation Process (RFI #130-6-15-04). — 1.) SEE RESPONSE FROM THOMAS SHAFER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#130-8/03/04.** — NO COMMENTS - TERRY WERNER ABSENT
- 2. **OUTSTANDING Request to Vince Mejer, Purchasing Agent - RE: Notice to Bidders #04-110 – Television Equipment (RFI#132 - 6/16/04).** — NO COMMENTS - TERRY WERNER ABSENT

3. Request to Allan Abbott, Public Works & Utilities Director - RE: Dredging of Williamsburg Lake (RFI#135 - 8/11/04). — TERRY WERNER ABSENT - NO COMMENTS - [Allan Abbott mentioned this RFI later under “IV. Directors-Public Works & Utilities Department”.] (See that discussion)
4. Request to Fire Chief Mike Spadt - RE: Recent Emergency Call at Williamsburg Lake (RFI#136 - 8/11/04). — NO COMMENTS - TERRY WERNER ABSENT

GLENN FRIENDT

1. OUTSTANDING Request to **Lynn Johnson, Parks & Rec. Director** - RE: South Salt Creek Community Organization concerns (RFI#33-5/25/04). — Mr. Friendt stated this item can be removed from the Agenda. Tammy Grammer stated to Mr. Friendt okay.
2. OUTSTANDING Request to Don Herz, Finance Director/ **Steve Hubka, City Budget Officer** - RE: Fire Equipment Lease-Purchase (RFI#35 - 7/19/04). — **1.) SEE RESPONSE FROM DON HERZ, FINANCE DIRECTOR RECEIVED ON RFI#35 - 7/22/04.** — Mr. Friendt stated this item can be removed from the Agenda. Tammy Grammer stated to Mr. Friendt okay.
3. ~~OUTSTANDING~~ Request to Allan Abbott, Public Works - RE: Accident Data on Intersection of W. Van Dorn and South Coddington for 5-year period (RFI #36-07/28/04). — **1.) SEE RESPONSE FROM SCOTT OPFER, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#36-8/06/04.** — NO COMMENTS
4. E-Mail from Glenn Friendt to Council - RE: Wanted to share what Gallup/SRI, the world leader in leadership development, has learned about “authentic leadership” in American organizations. — Mr. Friendt stated this item can be removed from the Agenda. Tammy Grammer stated to Mr. Friendt okay.
5. Request to Don Herz, Finance/Dana Roper, Law - RE: Constituent inquiry regarding the bond issue (RFI#37 - 8/12/04). — NO COMMENTS

JONATHAN COOK

1. ~~OUTSTANDING~~ Request to Weed Control/Public Works & Utilities Department/ Parks & Recreation Department - RE: Maintaining of ROW along W Van Dorn - (RFI#114 - 6/14/04).—**RESPONSE RECEIVED FROM RUSS SCHULTZ (INCORPORATING RESPONSES FROM PW AND FROM P&R) ON 07-29-04.** — Mr. Cook stated this item can be removed from the Agenda.

JON CAMP

Mr. Camp stated his question is to his colleagues is he the only one getting this many E-Mail's and after they had that discussion a month or two ago on public records, he wants to make sure things are out there. Mr. Svoboda commented they're getting them as well, but you put them on there. Mr. Cook commented to Mr. Camp you're taking care of them. Mr. Camp stated 'yes' a lot of them are to all of them that he has. Mr. Camp stated if they have suggestions let him know, he just wants to make sure they're being open about it. Mr. Svoboda stated okay.

- *1. E-mail from Jan Weyhrauch to Jon Camp RE: Special Election and Raising Taxes. — NO COMMENTS
- *2. E-Mail from Jan Karst with response from Jon Camp - RE: Today's article in LJS on Smoking Ban. — NO COMMENTS
- *3. E-Mail from Sue Quambusch with response from Jon Camp - RE: Budget Cuts. — NO COMMENTS
- *4. Faxed Letter from Jeff Riekenberg to Jon Camp - RE: 'Thank-you' very much for supporting the proposed StarTran bus routes between Lux Middle School and neighborhoods south and east of the school in the 2004-2005 Lincoln City Budget. — NO COMMENTS
- *5. E-Mail from Dan Mook with response from Jon Camp - RE: Addition of apartments west 88th St. — NO COMMENTS
- *6. E-Mail from Kevin & Ruth Mattson with response from Jon Camp - RE: Lux School StarTran Bus Service. — NO COMMENTS

7. E-Mail from Tom Green, Corresponding Secretary, Lancaster County Democratic Party with response from Jon Camp - RE: The Patriot Act. — NO COMMENTS
8. E-Mail from Dan Mook with response from Jon Camp - RE: Addition of apartments west 88th Street. — NO COMMENTS

ANNETTE McROY

1. Request to Dennis Bartels, Public Works & Utilities Department - RE: Request-Gap Paving (RFI#153 - 8/12/04). — NO COMMENTS

B. DIRECTORS AND DEPARTMENT HEADS

BUDGET OFFICE

- *1. Inter-Department Communication from Jan Bolin - RE: Corrected Budget Book Pages for PW/U - (See Material). — NO COMMENTS

FINANCE DEPARTMENT/CITY TREASURER

1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department Treasurer of Lincoln, Nebraska - Investments Purchased July 26 thru August 6, 2004. — NO COMMENTS

HEALTH

- *1. NEWS RELEASE - RE: Confirmatory Test Finds Earlier Lancaster County Case Is Not West Nile. — NO COMMENTS
- *2. NEWS RELEASE - RE: Partnering To Prevent Family Swimming Pool Drownings. — NO COMMENTS
3. NEWS RELEASE - RE: Special Opportunity For Computer And Electronics Recycling. — NO COMMENTS

PLANNING

- *1. Memo from Marvin Krout - RE: Lincoln Housing Costs. — NO COMMENTS
- *2. Memo from Marvin Krout - RE: Residential Land Inventory & Single Family Lots. — NO COMMENTS
- *3. Annexation by Ordinance - Ordinance No. 18400 - Effective: July 27, 2004 - 20.9 Acres. — NO COMMENTS
- 4. Planning Department Newsletter - Issue #10 - August 2004. — NO COMMENTS
- 5. Letter from Becky Horner to Michael Johnson, Olsson Associates -RE: North Hills 5th Addition Final Plat #04018. — NO COMMENTS
- 6. Letter from Becky Horner to Michael Johnson, Olsson Associates RE: Highlands Business Park 4th Addition Final Plat. — NO COMMENTS

PLANNING COMMISSION FINAL ACTION

- 1. Special Permit No. 04038 (Broadcast Tower - N. 31st Street and North View Drive) Resolution No. PC-00883. — NO COMMENTS
- 2. Preliminary Plat No. 04016 - Whispering Creek (S. 112th Street and Old Cheney Road) Resolution No. PC-00884. — NO COMMENTS

PUBLIC WORKS & UTILITIES DEPARTMENT

- *1. Public Works & Utilities ADVISORY - RE: South 14th Street; Old Cheney - Pine Lake - Project No. 701306. — NO COMMENTS
- 2. E-Mail Material from Karen Sieckmeyer - RE: Impact Fee Administrator Report & Recommendation on the Agenda for Monday, August 16th. — NO COMMENTS
- 3. Public Works & Utilities ADVISORY - RE: 30th Street; Randolph - Mohawk - Residential Rehabilitation Project #701752. — NO COMMENTS

4. REVISED Public Works & Utilities ADVISORY - RE: 30th Street; Randolph - Mohawk - Residential Rehabilitation Project #701752. — NO COMMENTS
5. Public Works & Utilities ADVISORY - RE: 30th Street; Vine - W Street - Residential Rehabilitation Project #701752. — NO COMMENTS

REAL ESTATE DIVISION

- *1. Interoffice Memo from Clinton W. Thomas - RE: Street & Alley Vacation No. 03017 West 20 feet of 24th Street; U Street to Vine Street; and the North 15 feet of U Street; 23rd to 24th Street. — NO COMMENTS
- *2. Interoffice Memo from Clinton W. Thomas - RE: Street & Alley Vacation No. 04009 North 58th Street; Colfax Avenue to Murdock Trail. — NO COMMENTS

URBAN DEVELOPMENT

- *1. Report - RE: 48th & “O” Streets Redevelopment Area Lincoln, Nebraska - Blight and Substandard Determination Study-May 2004 - Prepared For: City of Lincoln, Nebraska By: Hanna:Keelan Associates, P.C.-(Copy of this Report on file in the City Council Office). — [This Report was mentioned under “V. City Council Members-Jonathan Cook”.] (See that discussion)
2. Material- updated pages - RE: Replacement changes on 48th & “O” Study, per Joel Pedersen, Assistant City Attorney. — NO COMMENTS

WEED CONTROL AUTHORITY

1. Combined Weed Program - City of Lincoln - July 2004 Monthly Report. — NO COMMENTS

C. MISCELLANEOUS

- *1. E-mail from John Losito of Sun Valley Lanes RE: Bowling Center Legislation. — NO COMMENTS
- *2. Note Card from Norma Fleisher - RE: Please adopt the Defense of Liberty Resolution. — NO COMMENTS

- *3. E-Mail from Peggy Struwe - RE: Information on Amendment One. — NO COMMENTS
- *4. Letter from Rick G. Carter, Executive Director, The Lincoln/Lancaster County Human Services Federation - RE: Public transportation -Supports all efforts to increase access and availability on StarTran for low-income members of our community. — NO COMMENTS
- *5. E-Mail from Terry Jarosz, Midlands Plastics, Tool Designer - RE: Country View Park Fund Cut Again. — NO COMMENTS
- *6. E-Mail from Dave Brady to Mayor Seng - RE: Bond Issue. — NO COMMENTS
- *7. E-Mail from Jim Johnson to Mr. Jenkins, Lincoln Star Journal - RE: Correction to article on Council Salaries. — NO COMMENTS
- *8. E-Mail from Michelle Crawford - RE: Concerns about the infrastructure bond issue. — NO COMMENTS
- *9. Letter & Material from Herbert J. Friedman, Chair, Cable Advisory Board to Ms. Beth Scarborough, Time Warner Cable - RE: Cable Advisory Board. — NO COMMENTS
- *10. Letter from Elizabeth H. Scarborough, Time Warner Cable - RE: It has come to our attention by a review of the City Council August 9 Agenda that you will be briefed during Pre-Council and asked during the regular Council Meeting to adopt a report of the Cable Television Advisory Board related to the cable television franchise renewal proceedings and the Request for Renewal Proposal - (Item 19 Public Hearings-Resolutions). — NO COMMENTS
- 11. Letter from Paul L. Sweeney, ATV Sport Parts Inc., Mid-Atlantic Rep. - RE: The majority of large cities in the United States are having a complicated and serious problem as what to do with the ever-increasing number of non-title vehicles, dirt bikes, ATV's. The administrative, accounting and storage costs are very expensive. There also appears to be an environmental and public relations problems. — NO COMMENTS
- 12. E-Mail from Kent Stauffer - RE: The bond issue. — NO COMMENTS

13. E-Mail from Carol Brown - RE: The budget public hearing meeting on 8/09/04. — NO COMMENTS
14. E-Mail from Beth Thacker, President, Great Plains Trails Network - RE: The GPTN press release from Friday's press conference - Trails Advocates Speak Out Against Council's Budget Revisions -Public Hearing set for Monday, Aug. 9th. — NO COMMENTS
15. E-Mail from Beth Thacker, President, Great Plains Trails Network - RE: SRT bond issue. — NO COMMENTS
16. Letter from Beverly Sapp - RE: The way the Auto Salvage Yards are making our neighborhood look so bad by having old junk cars in view where they are to have a tall closed in fence, so we don't have to look at them. — NO COMMENTS
17. E-Mail from Karin Fuog - RE: Lux booster bus routes. — NO COMMENTS
18. Letter from Dalyce Ronnau, Chairman, Pedestrian/Bicycle Advisory Committee - RE: The Bond Issue. — NO COMMENTS
19. Letter from Dr. Loy Watley, Lincoln Christian School Board President & Mr. Mark Wilson, Lincoln Christian School Superintendent - RE: The 84th Street improvement project - requesting your help and support for a stop light at the future entrance to Lincoln Christian School on 84th Street. — NO COMMENTS
20. E-Mail from Sherry West - RE: Proposed budget. — NO COMMENTS
21. E-Mail from Anand V. Rau, Ph.D. & Anu Subramanian, Ph.D. - RE: Lux Booster Bus Routes. — NO COMMENTS
22. E-Mail from Don Tilley - RE: Wall of Remembrance coming to Lincoln. — NO COMMENTS
23. E-Mail from Karin Fuog - RE: Lux Booster Bus Routes. — NO COMMENTS
24. Faxed Letter from David L. Swartz, President, Cape Charles Square Homeowners' Association - RE: Williamsburg Village Lake Dredging. — NO COMMENTS

IV. DIRECTORS

BUILDING & SAFETY DEPARTMENT - Mike Merwick stated to Council just to let them know for Item 9 today, Ron Peery, will be at the Council meeting to answer any questions. *[04-155 --Amending Chapter 24.01 of the Lincoln Municipal Code to change the definition of Director to refer to the Director of Building and Safety, to increase the schedule of fees, and to impose a minimum fine for violating the provisions of this Chapter.]*

PUBLIC WORKS & UTILITIES DEPARTMENT - Allan Abbott stated to Council under Terry's [Werner] there was a Request For Information (RFI#135) for the dredging of Williamsburg Lake, he's sure each of them have received many phone calls about it. Mr. Abbott indicated he has personally talked to RoseAnn Dowty about 3 or 4 times and thinks Jon [Camp] has talked to her, the bottom line is they are not walking away from the contract until it's completed correctly. Karl Fredrickson met with Joe Hampton last Friday, they're meeting tomorrow to have the contractor out there to touch it up, so it should be finished. Mr. Abbott commented he can't believe that this became the most important thing on earth, they've spent more time answering the phone to inquiries than they did trying to get the job done, so for those of them who didn't send it forward, he appreciates it. Mr. Friendt commented to Mr. Abbott that he's going to follow up with one thing and he apologizes because he thinks communication probably is the critical part. Mr. Friendt commented you've got two Neighborhood Associations, he's been inundated since he's one of the neighbors now with questions and why as a City Councilperson he can't make this happen this week. So, he's offering to host a little luncheon meeting because they've got a number of committee leaders who've changed or traveled, so all of these communications have been going around the circle and man you can not believe the variance in what you hear. Mr. Abbott stated to Mr. Friendt 'right' and if you want Karl [Fredrickson] or Joe [Hampton] to be there let them know they'll do it. Mr. Abbott commented he doesn't know how many hours have been spent on this, but they will do what they were contracted to do, they will not walk off and leave it in the shape it's in the contractor moved out all these things that happened, but it's under control. Mr. Friendt 'thanked' Allan Abbott. Ms. Newman said the question she's receiving from other communities is why the City is not dredging out their retention why on earth was this agreed to in the first place when they have to maintain their own. Mr. Abbott commented he has asked that question many times and it was a deal that was cut 10 years ago that's all he can say. Ms. Newman commented no one knows why. Mr. Abbott replied there's about 14 different reasons why, but the City did agree to maintain it and dredge it as needed until 2002, again for a multitude of excuses they didn't get started until February of this year. Mr. Abbott commented if anything

could have gone wrong it did on this project. Ms. Newman commented but they're not agreeing to maintain any of these. Mr. Abbott replied 'no' this is it this is the end of the agreement. Ms. Newman stated okay. Mr. Friendt commented he must admit when this committee came forward to him and said 'well' they got this actual contract or written agreement, he said no... you can't that's not possible we don't do things like that and they said well in this case 'wow'. Mr. Abbott commented he said Dick Erickson agreed to what, but he's sure he had his reasons at the time.

Nicole Fleck-Tooze stated to Council that it didn't look like this meeting notice made it into their packets, so she thought she would just hand it out to them now. This is an Informational Meeting on the Beal Slough Streambank Stabilization for tomorrow evening. Ms. Tooze handed out the meeting notice to Council. [Meeting on August 17th at 6:00 p.m. at Bess Dodson Walt Branch Library.] [NOTE: This meeting notice is listed on the "Noon" Agenda for August 16th under "V. Meetings/Invitations-#7".]

AGING SERVICES - June Pederson stated to Council that Item 15 is approving an Interlocal Agreement with Polk County, Denise Boyd who is her Envision Administrator for that area is going to come and give them a couple of explanatory paragraphs so they'll understand why they're doing it. Mr. Svoboda stated okay. *[Approving an Interlocal Agreement between the City of Lincoln Aging Services and Polk County to provide planning and coordination of services for the development, management, and operation of the County's aging programs, and for information and referral services of older citizens within Polk County.]*

V. CITY COUNCIL MEMBERS

PATTE NEWMAN

Ms. Newman stated she's concerned and she thinks all of them got an E-Mail over the weekend about the language for the smoking ban and asked if they're going to discuss it later or is it something they should bring up now. Ms. Newman commented to Dana [Roper] that she assumes he's comfortable with it, she thinks it's very confusing. Mr. Roper commented it's very confusing, really. Mr. Roper commented to Ms. Newman do you want to keep the ordinance or don't you want to keep the ordinance and that's confusing. Ms. Newman replied that's confusing to people who have followed what's going on and aren't quite sure what that means. Mr. Roper stated to Ms. Newman what's her suggestion. Ms. Newman replied to put in the language of the..I'm against or I am for that this would include some exemptions for certain businesses. Mr. Roper commented I'm sorry, but it doesn't,

it's a 100% ban, the referendum is on the ordinance that was last passed. Mr. Cook suggested that they discuss this issue at the "Noon" Meeting today. Ms. Newman stated she thinks they probably should. Mr. Svoboda said 'yes' that's fine, if it's going to get that detailed. Mr. Roper stated okay.

Ms. Newman stated to Bruce Dart that he fielded a phone call for her this week from a lady who was very concerned about mosquito spraying and asked if he would like to tell them all in case anyone else gets a similar phone call. Bruce Dart stated the lady was actually just calling to see if they had sprayed her neighborhood, he explained to her that they have an environmental criteria and a clinical criteria that they use to help them make judges on where to spray and that criteria had not happen this year so they had not sprayed yet. So, she was very happy about it that was just really the text of what she called him for. Ms. Newman asked if it's going to happen are they safe this summer. Mr. Dart reported they do have some in Lancaster County, they have one positive mosquito pool, they don't have any human cases as previously thought. They take all of those elements in consideration before they decide where and when to spray and so far they've got two to three criteria, but not enough to make them go out and spray the environment because the activity is extremely low and mosquito activity is extremely low, so it's been a good summer for that. Mr. Svoboda asked how many more weeks of the mosquito season will they be having? Mr. Dart replied they'll have mosquito season until the first freeze and they'll continue doing surveillance up until that point. Mr. Dart stated that last year at this time they had so many positive dead birds that they couldn't even count, this year they've got a total of three, they've only had one positive mosquito pool and last year they had three or four times that. The environmental condition and what's different they think they have much more [inaudible] reservoirs in our pool that actually results in exposure and infection, which is what happened on the east coast and they were going to find out this year if they were going to mirror what takes place in other parts of the country. They'll continue to do surveillance for the next few years because there's been rebound to West Nile and hopefully not miss anything, but that's why their surveillance system is in place and so far he thinks it was accurate of what's happening in the community. Ms. Newman noted to Mr. Dart the lady was very happy afterwards, she called her back and said he was wonderful he said all the right things, so, thanks.

JONATHAN COOK

Mr. Cook stated regarding the item in the Highlands, he knows it's very controversial with Planning Commission and it was turned down overwhelmingly despite the fact that it's a use permit and asked if there's anything Planning wants to tell them know vs. later. Marvin Krout commented if they've read the Planning

Commission minutes he guess it would be helpful for him to just repeat. Mr. Krout stated when Rick Peo got up before the hearing began he described the purpose of an use permit and that an use permit is really a site plan review procedure. The purpose of it is that in our newer districts were interested in the overall arrangement of buildings and circulation and access and setbacks and so on, but that the purpose is not to have a zoning hearing on whether or not to allow a particular use that's otherwise permitted in the zone. The O-3 zone is at the corner of NW. 12th & Fletcher and they also have O-3 zones in other parts of the community and the O-3 zone allows for office uses and that's why it's called 'O' for office that's the main use. The highest use in terms of value normally that a property has, but the O-3 use also allows for residential uses and in this particular case it would allow for a townhouse or apartment uses. In this case the applicant is asking to approve a site plan for a townhouse use, which would generate less traffic, it would have less density than permitted uses on traffic there is for office or apartment and so Rick [Peo] tried to direct the attention of the Planning Commission to looking at the site plan and dealing with the issue of the site plan. There were waivers requested on some of those in order to change the orientation of the building and from staff stand point to help with the overall appearance of the project. Mr. Krout indicated that Mr. Peo was trying to tell the Planning Commission and would tell you here this morning if he was here, the purpose of an use permit isn't to deny an use and basically that's exactly what the Planning Commission did. Mr. Cook stated what about waivers, if there are waivers involved could the Planning Commission have removed those waivers instead of saying no and what's the ability they have in it. Mr. Krout replied 'yes', he thinks that they can always vote against waivers and in this particular case he thinks they have to be careful not arbitrarily, there are waivers that have been used as almost standard in some cases like they've had, but he doesn't know that there were any in this case, but he thinks yes they could. The applicant did indicate as he was making his presentation that they can lay out a plan, he knows that he saw a draft, he thinks that he showed it to the Planning Commission, but 'yes' he can lay out a plan that would not require the waivers and it would end up with all the buildings lining up in the same row and it would have more visual impact. But, yes they do have the discretion to not approve waivers or to make responsible changes in the conditions of approval in the site plan as it has been submitted. Further discussion continued with Council, Marvin Krout, Lynn Johnson and Dana Roper on this issue with comments and questions from Council. Following discussion, Mr. Cook commented so if they need to hold this item up because some of those issues to have something checked on, there's no reason that they have to act on it if they have something special to decide on.

Mr. Cook commented on the Blight Study today is their expectation that they would act on it or was there actually a request to delay because he knows last week there was a discussion of the delay and asked what became of it. City Clerk Joan Ross stated that they were waiting on the report, which was delivered to the wrong Joan, once they finally figured it all out. Mr. Cook stated okay, so the expectation is that they would act on the Blight Study today. City Clerk Joan Ross replied 'yes' they have all their information. Mr. Cook stated okay.

Mr. Cook asked if anybody ever found out who put the signs on the poles. Dallas McGee stated that it was Archrival who was working with Clark Enersen and they won't do it again. Mr. Cook commented okay, 'thanks', he appreciates it.

Mr. Cook stated he just got a call this morning, he hasn't called this guy back yet, but maybe somebody can check on this, Bill Hilton at 2132 W. Mill Stone Road said he was notified about the water pressure increase in his neighborhood and then he was notified that it had happened. This gentleman has been calling Public Works because he thinks ... he doesn't remember what his concerns were up until today, but today he had a flooded basement and thinks it's related to the water pressure increase and he's upset because the City isn't responding some how as he expects. Allan Abbott stated that was the area where they told them that if they've got old plumbing and they increase the pressure watch for it because they might blow their water heater or some other stuff that may have been what occurred. Mr. Abbott noted there is a pressure release valve that you get to put on because the pressure did increase significantly, again, this is primarily at their request that they increase pressure. Mr. Abbott stated to Mr. Cook give him the information. Mr. Cook stated okay.

Mr. Cook stated to Lin Quenzer regarding the Woodsdale Lighting District. Lin Quenzer stated that she's waiting for a response on it, she had to call him back yet this morning. Mr. Cook commented okay, if he could get something today or tomorrow. Ms. Quenzer stated she's hoping today that she'll have something back on it. Mr. Cook stated okay. Mr. Cook noted apparently 'ABC Electric' doing the construction has gone off to other jobs or something and not finishing it. The neighbors can't seem to get 'ABC Electric' to come back and finish, they keep saying they'll be back soon, they'll be back in a few days and then they don't show up, so they just need to find out why that's being delayed.

Mr. Cook stated in speaking of delayed type things, did anyone see the article in the World Herald the first of a four part section on slow motion road work. Mr. Cook commented they're in good shape by comparison it seems to him and he was going to ask when 40th Street and South Street will be done. Mr. Cook commented South Street will be done any day now. Allan Abbott replied he hopes so. Mr. Cook

stated okay, it looks like they're pretty close. Mr. Abbott commented any day now is a good answer. Mr. Cook asked about 40th Street in the roundabout? Mr. Abbott stated he hasn't been down there in the last week, but it seems to be running [inaudible]. Mr. Abbott stated to Mr. Cook that he can get those dates for him, they were supposed to be open before school started, school is going to start, so they'll see.

Mr. Abbott commented anything else Jonathan [Cook]. Mr. Cook stated 'no', he just thought he would say something nice about Public Works, he thinks that they do a much better job here of scheduling projects and getting things done and wouldn't expect that.

GLENN FRIENDT

Mr. Friendt stated he would like to see Allan Abbott after the Directors' Meeting today.

JON CAMP

Mr. Camp commented he already covered it.

ANNETTE McROY

Ms. McRoy stated that she would like to see Ray Hill after the Directors' Meeting today.

TERRY WERNER - ABSENT

KEN SVOBODA

Mr. Svoboda adjourned the meeting at this time. - [Approximately at 11:33 a.m.]

ADDENDUM - (For August 16th)

I. MAYOR

1. NEWS ADVISORY - RE: 5 City-TV To Re-Air Show Featuring Ted Kooser. — NO COMMENTS
2. NEWS RELEASE - RE: Public Invited To Open House On North 14th Street Project. — NO COMMENTS

II. CITY CLERK - NONE

III. CORRESPONDENCE

A. COUNCIL REQUESTS/CORRESPONDENCE

GLENN FRIENDT

1. Memo & attachment from Glenn Friendt - RE: Lincoln Arts Council audit letter. — NO COMMENTS

JON CAMP

1. E-Mail from Troy Henggeler to Jon Camp - RE: Pioneers street improvement project. — NO COMMENTS

B. DIRECTORS AND DEPARTMENT HEADS - NONE

C. MISCELLANEOUS

1. E-Mail from Stan Kuta - RE: Use Permit No. 04002 - Item #13, on the Agenda for 8/16/04. — NO COMMENTS
2. E-Mail written by Joan Ray for Ms. Gail Hiskey - RE: Use Permit 04002 - #13 on 8/16/04 Agenda - Opposed. — NO COMMENTS
3. E-Mail from Bruce Meyer - RE: Deny use permit #04002. — NO COMMENTS

[End of Addendum]

VI. MEETING ADJOURNED - Approximately at 11:33 a.m.

***HELD OVER FROM AUGUST 9, 2004.**

dm081604/tjg